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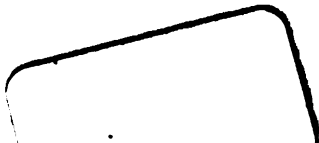
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REVISED

GENERAL ORDINANCES

OF THE

CITY OF SIOUX CITY,  
IOWA

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COMPILED AND ARRANGED BY

THE MAYOR

AND

CITY COUNCIL

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Printed by Authority of the City Council

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# CITY HISTORY.

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## **Incorporation and Subsequent Changes in Class and Form.**

The city of Sioux City was incorporated by an act of the sixth general assembly of Iowa, approved January 16, 1857, and continued under the provisions of this act until the third Monday in March, 1862, when, in accordance with an election held on the first Monday of that month, the city council attempted to organize under the provisions of chapter 51 of the revision of 1860, in relation to cities and towns, believing, as the minutes show, that the provisions of that chapter applied to cities organized under special charters. This organization, according to the decision of the supreme court in the case of the Town of Decorah vs. Bullis (25 Iowa, 12), was manifestly without authority of law. On February 15, 1864, a special election was held in obedience to a petition of fifty legal voters of the city and in accordance with the provisions of chapter 25 of the laws of the ninth general assembly, extra session, for the purpose of submitting the question of abandonment of the charter of the city, which election resulted in twenty-five votes in favor of abandonment and one vote against; thereupon the city council passed a resolution declaring "that hereafter the city of Sioux City is and will be in operation under the general incorporation act." No record was made of any special election in accordance with the further provisions of this act, and probably such election was never held. To cure all defects in the former action of the city government, the twelfth general assembly passed an act legalizing the acts of certain cities and towns in their attempts to amend and abandon their special charters, and to legalize elections, ordinances enacted and other proceedings had by said cities and towns, which was approved April 6, 1868. This placed Sioux City as a city of second class, in which it continued until the third Monday in March, 1886, at which time, the city having been shown by the census of 1885 to have a population exceeding fifteen thousand, said city proceeded to, and did, organize as a city of the first class under the general incorporation laws of the State of Iowa.

On February 15, 1910, a petition signed by more than twenty-

five per centum of the voters of the city having been duly filed, a special election was held on the adoption of the commission plan of government, authorized by the thirty-second general assembly of Iowa, and a majority of the votes cast being in favor of said plan, it was declared adopted. The election of the first mayor and four councilmen, provided for in this act, was held March 28, 1910, and the new form of government became operative one week later, April 4, 1910, with the installation of the mayor and councilmen.

## OFFICERS OF THE CITY.

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The officers of Sioux City from 1858 to 1893, inclusive, will be found in the revised ordinances of 1894.

### 1894.

Mayor, C. W. Fletcher; Solicitor, A. H. Burton; City Clerk, \*F. E. Simpson, \*W. W. Wianand; Auditor, Wm. Conniff; Treasurer, Abel Anderson; Police Judge, James Doughty; Clerk of Police Court, Wilbur Coleman; City Engineer, L. F. Wakefield; Chief of Fire Department, H. H. Hawman; Chief of Police, Geo. W. Young.

Aldermen at Large—L. Humbert, A. J. Siman.

Aldermen—C. W. Moore, H. P. Chesley, John Holdenried, H. H. Johnson, P. C. Miller, J. A. Magoun, Jr., W. J. Radcliffe.

### 1895.

Mayor, C. W. Fletcher; Solicitor, A. H. Burton; City Clerk, F. E. Cleaves; Auditor, Wm. Conniff; Treasurer, Abel Anderson; Police Judge, James Doughty; Clerk of Police Court, Wilbur Coleman; City Engineer, L. F. Wakefield; Chief of Fire Department, Geo. M. Kellogg; Chief of Police, Geo. W. Young.

Aldermen at Large—A. B. Erickson, G. Y. Bonus.

Aldermen—D. A. Magee, J. M. Tredway, John Holdenried, H. P. Chesley, A. J. Siman, L. Humbert, C. W. Moore, H. H. Johnson.

### 1896.

Mayor, J. M. Cleland; Solicitor, A. H. Burton; City Clerk, F. E. Cleaves; Auditor, Wm. Conniff; Treasurer, John Hittle; Police Judge, F. A. McMaster; Clerk of Police Court, Edward Daniels; City Engineer, L. F. Wakefield; Chief of Fire Department, Geo. M. Kellogg; Street Commissioner, H. E. Siman.

Aldermen at Large—C. T. Westcott, L. J. Needham.

Aldermen—C. W. Moore, H. P. Chesley, Milton P. Smith, A. J. Siman, A. B. Erickson, D. A. Magee, Thomas Marshall, J. M. Tredway.

### 1897.

Mayor, J. M. Cleland; Solicitor, A. H. Burton; City Clerk, \*C. L. Jackson, \*W. W. Wianand; Auditor, Wm. Conniff; Treasurer, John

Hittle; Police Judge, F. A. McMaster; City Engineer, L. F. Wakefield; Street Commissioner, V. A. Swan; Chief of Fire Department, Geo. M. Kellogg; Assessor, C. C. Wales.

Aldermen at Large—W. J. Radcliffe, C. T. Westcott.

Aldermen—C. W. Moore, \*H. P. Chesley, A. B. Erickson, Louis Selzer, Thomas Marshall, M. P. Smith, A. J. Siman, J. M. Tredway, \*R. J. Andrews.

### 1898-99.

Mayor, J. H. Quick; Solicitor, F. E. Gill; Clerk, F. J. Selzer; Auditor, John B. Keefe; Treasurer, John Hittle; City Engineer, Henry Wingeland; Street Commissioner, Jas. S. Lynch; Assessor, C. C. Wales; Judge of Police Court, M. M. Gray; Chief of Fire Department, Geo. M. Kellogg; Chief of Police, James Nelson.

Aldermen at Large—W. J. Radcliffe, Geo. Ellerd.

Aldermen—A. Hermann, R. J. Andrews, A. B. Erickson, Chas. Selzer, Thomas Marshall, M. P. Smith, I. N. Stone, J. M. Tredway.

### 1900-1.

Mayor, A. H. Burton; Solicitor, J. N. Weaver; Clerk, Charles Kloster; Auditor, W. E. True; Treasurer, John Hittle; City Engineer, J. M. Lewis; Street Commissioner, John Erickson; Chief of Fire Department, Geo. M. Kellogg; Police Judge, Robert H. Munger; Assessor, C. C. Wales.

Aldermen at Large—Geo. Ellerd, C. A. L. Olson.

Aldermen—A. Hermann, R. J. Andrews, C. A. Dahlin, D. S. Anthony, E. J. Hanlon, L. L. Cathcart, I. N. Stone, J. M. Tredway.

### 1902-3.

Mayor, E. W. Caldwell; Solicitor, J. N. Weaver; Clerk, Charles Kloster; Auditor, W. E. True; Treasurer, T. C. Prescott; City Engineer, J. M. Lewis; Street Commissioner, John Erickson; Chief of Fire Department, Geo. M. Kellogg; Police Judge, Sam Page; Chief of Police, W. C. Davenport.

Aldermen at Large—A. L. Harding, C. A. L. Olson.

Aldermen—A. Hermann, W. F. Wiley, Wm. Johnson, D. S. Anthony, E. J. Hanlon, L. L. Cathcart, I. N. Stone, C. C. Neussle.

### 1904-5.

Mayor, W. G. Sears; Solicitor, J. N. Weaver; Clerk, A. A.



Smith; Auditor, W. E. True; Treasurer, Geo. B. Whittemore; City Engineer, J. M. Lewis; Assessor, C. C. Wales; Street Commissioner, Thomas W. Ford; Chief of Fire Department, Geo. M. Kellogg; Police Judge, Sam Page; Chief of Police, John Dineen.

Aldermen at Large—E. J. Stason, W. J. Radcliffe.

Aldermen—A. Hermann, D. E. Kerby, Wm. Johnson, Wm. Maxeiner, E. J. Hanlon, M. P. Smith, T. W. Bayne, C. C. Neussle.

### 1906-7.

Mayor, W. G. Sears; Solicitor, Fred W. Sargent; Clerk, A. A. Smith; Auditor, W. E. True; Treasurer, Geo. B. Whittemore; City Engineer, J. M. Lewis; Assessor, J. W. Gray; Street Commissioner, Thomas W. Ford, Chief of Fire Department, Geo. M. Kellogg; Police Judge, Sam Page; Chief of Police, John Dineen.

Aldermen at Large—W. J. Radcliffe, E. P. Reilly.

Aldermen—Jas. E. Hamblin, D. E. Kerby, Wm. Johnson, Wm. Maxeiner, E. J. Hanlon; M. P. Smith, T. W. Bayne, C. C. Neussle.

### 1908-9.

Mayor, W. G. Sears; Solicitor, Fred W. Sargent; Clerk, A. A. Smith; Auditor, W. E. True; Treasurer, Ben. Kloster; City Engineer, Geo. Y. Skeels; Assessor, J. W. Gray; Street Commissioner, Thomas W. Ford; Chief of Fire Department, Geo. M. Kellogg; Police Judge, Sam Page; Chief of Police, John Dineen.

Aldermen at Large—T. W. Bayne, A. L. Harding.

Aldermen—Geo. W. Coulson, D. E. Kerby, Oscar L. Johnson, Henry Metz, E. J. Hanlon, Ed Evans, H. E. Haakinson, John Krumman.

### 1910-11.

(Elected.)

Mayor, A. A. Smith, Department of Public Affairs; Councilmen, Jonathan W. Brown, Department of Accounts and Finances; R. S. Whitley, Department of Public Safety; E. O. Wesley, Department of Streets and Public Improvements; G. B. Healy, Department of Parks and Public Property. (The mayor is made superintendent of the department of public affairs by law, the others are assigned to the different departments by vote of the council.)

(Appointed.)

City Clerk, Chas. F. Baldwin; Solicitor, F. E. Gill; Auditor,

W. E. True; Treasurer, C. A. Carlson; City Engineer, Keyes C. Gaynor; Assessor, J. W. Gray; Street Commissioner, Charles O'Shonessy; Chief of Fire Department, George M. Kellogg; Police Judge, H. F. Sims; Chief of Police, J. B. Richard; Health Officer, Dr. B. Courshon; Sanitary Policeman, Fred Lerch, Sr.

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\*Part of the term.

## BOUNDARIES OF THE CITY.

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SECTION 1. The boundaries of the city of Sioux City as enlarged and extended the 20th day of October, 1890, are described and fixed as follows:

Commencing at the middle of the main channel of the Big Sioux river at a point upon the line extending east and west, forming the north boundary of township eighty-nine (89), north of range forty-eight (48), west of the fifth P. M., produced westward, and running thence east to the northeast corner of section one (1), township eighty-nine (89), north of range forty-seven (47), west of fifth P. M.; thence south to the southeast corner of section thirty-six (36), in township and range last aforesaid; thence east upon the correction line to the northeast corner of section five (5), township eighty-eight (88), north of range forty-seven (47); thence south to the southeast corner of section eight (8), in township and range last aforesaid; thence west to the middle of the main channel of the Missouri river; thence northwestwardly along the middle of the main channel of the Missouri River to a point directly south and opposite the mouth of the Big Sioux River; thence northwardly along the middle of the main channel of the Big Sioux River to the place of beginning.

## WARDS.

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The city of Sioux City has, by ordinances duly passed by the city council from time to time, been divided into eight wards, known and called the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth wards, respectively. They are constituted as follows:

**First Ward.** All that portion of the city lying and being west of the center line of Perry creek, extending south to the southerly line of said city, and lying south of the center line of West Sixth street, extended directly west to the western boundary of the city.

**Second Ward.** All that portion of the city being and lying north of the Missouri river, east of the east line of Pierce street extended northerly to the northern boundaries of the city, west of the center line of Jones street and west of the north and south center lines of sections 21, 16, 9 and 4, township 89, range 47, and south of the northern boundaries of the city.

**Third Ward.** All that portion of the city lying east of the center line of Jones street and east of the north and south center lines of sections 21, 16, 9 and 4, township 89, range 47, and north of the center line of Fourth street produced eastward to the eastern boundary of the city, except all that portion lying east of the west line of sections 15, 10 and 3, township 89, range 47, and north of the east and west center line extended through sections 13, 14 and 15, township 89, range 47, and bounded on the north and east by the city limits.

**Fourth Ward.** All that portion of the city lying north of the Missouri river and east of the main channel of Perry creek extended northerly as it winds and turns to the northern boundaries of the city, west of the east line of Pierce street extended north to the northern boundaries of the city.

**Fifth Ward.** All that portion of the city lying within a boundary commencing at the intersection of Jones and Fourth streets, thence west along the center of Fourth street projected to the east boundary line of the city, thence south on and along said boundary to the center of Washington street, projected thence west along the center of Washington street so projected to the center of the Floyd river, thence southerly along the center of said stream, includ-

ing the new channel thereof as the same now is, to the Missouri river, thence northwesterly along the bank of said Missouri river to the center of Jones street, thence north to the place of beginning.

Sixth Ward. All that portion of the city lying west of the center line of the main channel of Perry Creek and north of the center line of West Sixth street, extended west to the western boundary of the city.

Seventh Ward. All that portion of the city lying within a boundary commencing at the east boundary line of the city at the center of Washington street, projected thence west on the center line of said street so projected to the center line of the Floyd river, thence down the center of said river as made by the new channel to the Missouri river, thence down and along the east bank of the Missouri river to the southern limits of the city, thence east along the south side of the city limits to the east boundary line of the city, thence north on said east boundary line to the place of beginning.

Eighth Ward. All that portion of the city lying east of the west line of sections 15, 10 and 3, township 89, range 47, and north of the east and west center line extended through sections 13, 14 and 15, township 89, range 47, and bounded on the north and east by the city limits.

## **PRECINCTS.**

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Polling precincts of the city of Sioux City, as established by ordinances passed from time to time:

### **First Ward.**

First Precinct. That part of said ward lying east of Myrtle street and south of Sixth street.

Second Precinct. That portion of said ward lying west of Myrtle street and south of Sixth street.

### **Second Ward.**

The Second ward shall constitute one precinct.

### **Third Ward.**

First Precinct. That portion of said ward lying west of the center line of Clark street, extended north to the city limits.

Second Precinct. That portion of said ward lying east of the center line of Clark street.

### **Fourth Ward.**

The Fourth ward shall constitute one precinct.

### **Fifth Ward.**

First Precinct. Commencing at the center of Floyd river where the same is intersected by the center line of Fourth street, thence extending east along the center line of Fourth street projected to the eastern limits of the city, thence south on said line last named to the center of Washington street projected to the eastern limits of the city, thence westerly on the center line of Washington street to the center of the Floyd river, thence northwesterly along the center line of said stream to the place of beginning.

Second Precinct. Commencing at the intersection of Jones and Fourth streets, thence east on the center of Fourth street to the center of the Floyd river, thence down the center of said stream to the Missouri river, thence northerly along the banks of said stream to the center of Jones street, thence north to the place of beginning.

### **Sixth Ward.**

First Precinct. That part of said ward lying east of the range line running north and south between range 47 and range 48.

Second Precinct. That part of said ward lying west of the range line running north and south between range 47 and range 48.

#### **Seventh Ward.**

First Precinct. Commencing on the east boundary line of the city at the center line of Washington street, projected thence west on the center line of said street so projected to the center of the Floyd river, thence down the center of said stream to the Missouri river, thence down the easterly bank of the Missouri river to the center of Peters street so projected and projected easterly to the east line of the city, thence north to the place of beginning.

Second Precinct. Commencing on the east boundary line of the city at the center line of Peters street so projected and projected westerly to the east bank of the Missouri river, thence down said bank of said stream to the southern boundary of the city, thence easterly on said boundary line to the east boundary of the city, thence north on said east boundary line to the place of beginning.

#### **Eighth Ward.**

The Eighth ward shall constitute one precinct.

# CITY GOVERNMENT.

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The powers and duties of the city council are fixed by the statute under which the commission form of government in this city was adopted and is in operation. The principal sections of this law defining these powers and duties, so far as they relate to Sioux City, are as follows:

SEC. 7. The council shall have and possess, and the council and its members shall exercise, all executive, legislative and judicial powers and duties now had, possessed and exercised by the mayor, city council, solicitor, assessor, treasurer, auditor, city engineer and other executive and administrative officers in cities of the first and second class, and in cities under special charter, and shall also possess and exercise all executive, legislative and judicial powers and duties now had and exercised by the board of public works, park commissioners, the board of police and fire commissioners, board of water works trustees, and board of library trustees in all cities wherein a board of public works, park commissioners, board of police and fire commissioners, board of water works trustees, and board of library trustees now exist or may be hereafter created. The executive and administrative powers, authority and duties in such cities shall be distributed into and among five departments, as follows:

1. **Department of Public Affairs.**
2. **Department of Accounts and Finances.**
3. **Department of Public Safety.**
4. **Department of Streets and Public Improvements.**
5. **Department of Parks and Public Property.**

The council shall determine the powers and duties to be performed by, and assign them to the appropriate department; shall prescribe the powers and duties of officers and employes; may assign particular officers and employes to one or more of the departments; may require an officer or employe to perform duties in two or more departments; and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

SEC. 8. The mayor shall be superintendent of the department of public affairs, and the council shall at the first regular meeting



after election of its members designate by majority vote one councilman to be superintendent of the department of accounts and finances; one to be superintendent of the department of public safety; one to be superintendent of the department of streets and public improvements; and one to be superintendent of the department of parks and public property. Such designation shall be changed whenever it appears that the public service would be benefited thereby. The council shall, at said first meeting, or as soon as practicable thereafter, elect by majority vote the following officers: a city clerk, solicitor, assessor, treasurer, auditor, civil engineer, city physician, marshal, chief of fire department, market master, street commissioner, three library trustees, and such other officers and assistants as shall be provided for by ordinance and necessary to the proper and efficient conduct of the affairs of the city. In those cities of the first class not having a superior court, the council shall appoint a police judge. Any officer or assistant elected or appointed by the council may be removed from office at any time by vote of a majority of the members of the council, except as otherwise provided for in this act.

SEC. 9. The council shall have power from time to time to create, fill and discontinue offices and employments other than herein prescribed, according to their judgment of the needs of the city; and may by majority vote of all the members remove any such officer or employee, except as otherwise provided for in this act; and may, by resolution or otherwise, prescribe, limit or change the compensation of such officers or employees.

SEC. 11. Regular meetings of the council shall be held on the first Monday after the election of councilmen, and thereafter at least once each month. The council shall provide by ordinance for the time of holding regular meetings, and special meetings may be called from time to time by the mayor or two councilmen. All meetings of the council, whether regular or special, at which any person not a city officer is admitted, shall be open to the public.

The mayor shall be president of the council and preside at its meetings, and shall supervise all departments and report to the council for its action all matters requiring attention in either. The superintendent of the department of accounts and finances shall be vice president of the council, and in case of vacancy in the office of mayor, or the absence or inability of the mayor, shall perform the duties of the mayor.

# ORDINANCES.

## POWERS AND DUTIES.

AN ORDINANCE to determine and fix the powers and duties of the superintendents of departments of public affairs, accounts and finances, public safety, streets and public improvements and parks and public property in the city of Sioux City, Iowa, and assigning officers and employes of said city to one or more of said departments.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That from and after the first Monday in April, 1910, the powers and duties of the several departments of the city government of Sioux City, Iowa, and the assignment of officers and employes of said city to one or more of said departments, shall be as follows:

### **Department of Public Affairs.**

The mayor shall have and exercise all the powers and perform all the duties provided or prescribed by law or ordinance, not in conflict with the provisions of this ordinance. He shall be superintendent of the department of public affairs and shall have general supervision over all departments and officers. He shall be the chief executive officer and representative of the city; shall preside at all meetings of the city council; shall sign all contracts on behalf of the city; shall have charge of and cause the publication of all reports required by law and shall have charge of all printing done by or for the city, unless otherwise provided by law. He shall order all stationery, blank books and job printing on requisition signed by the heads of the departments. He shall grant all licenses and permits, except such permits as are provided for by ordinance to be granted by some other department. In the absence or inability of any councilman, he shall temporarily supervise the department of such councilman. He shall be president of the local board of health and shall have control of all the powers and duties pertaining to said board. He shall have control of the mayor's secretary, city clerk, city health officer, sanitary police, the city detention hospital and its employes, the board of examining engineers and all other officers

and employes not by law or ordinance assigned to some other department.

### **Department of Accounts and Finances.**

The superintendent of this department shall have charge of all accounts and records of the city, except those records of ordinances and resolutions kept by the city clerk, and all officers, boards and departments shall be required to keep accounts and records and make reports. He shall inspect, or cause to be inspected, all accounts and records of all officers and departments, and shall cause proper accounts to be kept and reports made. He shall audit, or cause to be audited, at frequent intervals the accounts of every employe who may or does receive or disburse money for the city. He shall have charge of the purchase, care and distribution of all supplies not otherwise provided for. He shall examine, or cause to be examined, all bills, accounts, pay rolls, etc., before they are acted upon or allowed, unless otherwise provided by law, and shall require such certification of bills, accounts and pay rolls by the heads of departments as he shall deem necessary and expedient. He shall procure from all persons or corporations operating public service utilities in the city such reports and statements as the law requires and shall procure copies of all reports required by the state or any public office or department. He shall report to the city council any failure to make reports or pay moneys due the city, and make such recommendations as he deems proper. Where the city has authority so to do, he shall examine, or cause to be examined, the accounts and records of any person or corporation operating a public service utility in the city, and shall report to the city council any refusal to permit such examination. He shall have control of the city auditor, treasurer, assessor, market master, sealer of weights and measures, inspectors of meat, food and milk, and the public library, and all connected with these offices and departments shall be under his direction and supervision. He shall be vice-president of the city council and in the absence of the mayor shall preside and perform the other duties of the mayor and head of the department of public affairs.

### **Department of Public Safety.**

The superintendent of this department shall have charge of the police and fire departments and all their officers and employes, the police station, city jail, the fire stations and all properties used by

these departments; the poundmaster and city pound and the city electrician. He shall have charge of the purchase of all horses, apparatus and supplies of these departments, subject to the provisions of the law requiring bids for certain purchases, and may upon application receive the aid of other officers and departments of the city. He shall have control of the police judge and clerk. He shall have charge of the enforcement of all ordinances and resolutions relating to the protection of traffic on or across railroad lines and on all streets and in all alleys, and of the service of notices for abatement of nuisances and construction of sidewalks by the city marshal, who shall be under his control.

#### **Department of Streets and Public Improvements.**

The superintendent of this department shall have complete authority and charge over all public work (except that pertaining to the waterworks), cleaning, sprinkling, repairing of streets and public places, erection, making and reconstruction of all street improvements, paving, curbing, sidewalks, sewers, bridges, viaducts, etc. He shall approve the estimates of the city civil engineer and recommend to the council the acceptance of work done when it is satisfactory and perform such other duties as are provided by law and ordinance. He shall have charge of the lighting of streets, alleys, public bridges, grounds and viaducts not otherwise provided for. He shall have charge of enforcing provisions of law and ordinances relating to street obstructions, billboards and street waste paper boxes. He shall have supervision over all public service utilities and all persons or corporations rendering service to the city or state under any franchise or contract and shall report to the council any failure of such parties to obey the requirements of law. He shall have control of the city civil engineer, assistant engineer and employees in that office, the street commissioner, sewer inspectors, sewer pumping station and its employees, scavenger inspectors and the collection of garbage, and all inspectors of public work done in this department.

#### **Department of Parks and Public Property.**

The superintendent of this department shall have charge of the waterworks, parks, pleasure grounds and public playgrounds of the city, and of all officers and employees in this department, including park policemen, employed in or around them. He shall have charge and control of the city hall, the janitor, engineers, fireman and ele-

vator operator thereof and of all other public buildings and property of the city not otherwise provided for. He shall have charge of all cemeteries, boulevards, street parkings and parkways; of the improvement, maintenance, lighting and care of all public parks and public grounds and the buildings thereon. He shall have such assistance from the city civil engineer and the engineering department as may be needed.

SEC. 2. Except as otherwise provided by law and ordinance, the superintendent of each department shall make such rules and regulations as will make his department most efficient. The city council shall adopt rules governing its order of business and prescribing the manner in which legislation shall be considered, which rules shall not be inconsistent with the law and the ordinances.

SEC. 3. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SEC. 4. This ordinance, being required by the provisions of chapter 14-c of the supplement to the code of Iowa, as amended by the acts of the thirty-third general assembly of the state, shall be in full force and effect from and after its passage and publication, as required by law.

Passed April 5, 1910.

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### COUNCIL MEETINGS.

AN ORDINANCE fixing the time for holding regular meetings and providing for special meetings of the city council.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That regular meetings of the city council shall be held on the first Monday after the biennial election of councilmen and on each Saturday of each week thereafter.

SEC. 2. That special meetings may be called from time to time by the mayor or two councilmen.

SEC. 3. That the mayor shall be president of the council and preside at its meetings, and shall supervise all departments and report to the council for its action all matters requiring attention in any of said departments.

SEC. 4. That the superintendent of the department of accounts and finances shall be vice-president of the council, and, in case of the

vacancy in the office of mayor, or the absence or inability of the mayor, shall perform the duties of mayor.

SEC. 5. All ordinances conflicting with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Passed April 9, 1910.

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### COMMITTEES ASSIGNED.

AN ORDINANCE providing for the apportionment of duties assigned to different committees under the former form of municipal government, to the appropriate departments under the present form of government, and amending ordinances or parts of ordinances in conflict herewith.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the duties assigned to different committees of the city council under the former form of municipal government are hereby apportioned among the different departments under the present form of government, as follows:

To the department of public affairs, the duties of the committees on public health, judiciary and printing;

To the department of accounts and finances, the duties of the committees on finance, public markets, accounts of city officers, public library and claims;

To the department of public safety, the duties of the committees on fire department, police and public safety;

To the department of parks and public property, the duties of the committees on water works, public buildings and public grounds;

To the department of streets and public improvements, the duties of the committees on streets, alleys and bridges; paving, sewers, grades and grading, special assessments and lights.

SEC. 2. All ordinances or parts of ordinances referring to any of the standing committees mentioned herein, are hereby amended by striking therefrom the name of such committee and inserting in lieu thereof the name of the department to which such committee is hereby assigned.

Passed February 11, 1911.

**CITY ELECTIONS.**

AN ORDINANCE regulating city elections.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all regular city elections shall be held at such place, or places, in each ward as the city council shall direct.

SEC. 2. That all special city elections shall be conducted as nearly as practicable in the same manner as herein provided for regular city elections and as otherwise provided by the laws of the state.

SEC. 3. The city council shall, at least ten days prior to each election, designate the place, or places, in each ward where such election shall be held and shall appoint for each polling place in each ward three judges of election and two clerks of election, and immediately thereafter the mayor shall issue his proclamation of the time and place of holding such election, the hours of opening and closing the polls and the officers to be voted for at such election. Provided, that if no change is made in the places of holding such election, it shall not be necessary for the city council to designate such places for each election, but the voting places shall be designated in the proclamation issued by the mayor.

SEC. 4. The city clerk shall, without delay, make out and send by mail to each person so appointed as clerk or judge of election a notice of his appointment.

SEC. 5. The city clerk shall cause to be delivered at least twelve hours before the time for opening the polls, poll books, for each polling place in each ward, together with the necessary ballots, ballot boxes and supplies required by law, to one of the judges appointed by the city council for the polling place, or places in each ward or precinct to which the same belongs, and the judge shall give his receipt therefor.

SEC. 6. It shall be the duty of the city marshal to deliver said ballot boxes, ballots and poll books to the judge entitled to receive them.

SEC. 7. If at the time for opening the polls in any precinct there shall be a vacancy in the office of judge or clerk of election, the same shall be filled by the members of the board present. If necessary a full board may be selected by the qualified voters present at the time for opening the polls.

SEC. 8. Before opening the polls, each of the judges and clerks shall take the following oath: "I, A. B., do solemnly swear that I will impartially and to the best of my knowledge and ability perform the duties of judge or clerk of this election, and will studiously endeavor to prevent fraud, deceit and abuse in conducting the same."

SEC. 9. Any one of the judges or clerks present may administer the oath to the others and it shall be entered in the poll books, subscribed by the person taking it and certified by the officer administering it.

SEC. 10. Any person offering to vote may be challenged as unqualified, by any judge or elector, and in such case the procedure shall be as provided in section 1115 of the code of 1897 of Iowa.

SEC. 11. The polls shall be opened at seven o'clock in the forenoon unless vacancies have to be filled, as above, in which case they are to be opened as soon thereafter as may be, and they shall be closed at seven o'clock in the afternoon.

SEC. 12. The poll books herein referred to shall be arranged in ruled columns which shall show the number of a person voting, the voter's name and his residence by street and number or location of the residence of the person voting; said poll books shall also contain blanks for tally sheet and form of return to be made out by said judges and clerks of election for each city officer to be voted for at such election.

SEC. 13. Said judges of election shall have all the powers granted by law to judges of election in the several county elections of the state with reference to maintaining order and preventing disturbances at or about the different polling places in said city and the same general rules shall apply with reference to counting of ballots and making up returns from each precinct as is by law provided for county elections in this state.

SEC. 14. When said returns shall have been made up and signed by the judges and attested by the clerks of said election as provided by law, the same shall be forthwith returned by one of the judges of election to the city clerk, together with all ballot boxes, registers and poll books.

SEC. 15. Said clerk shall preserve all the ballots cast at said election for six months, and longer if the election of any officer be contested and not previously determined, after which they shall be destroyed as by law provided,



SEC. 16. The judges and clerks of election shall receive compensation for their services as fixed by the city council, but not less than two dollars each for every six hours or fraction thereof employed in holding the election and counting the ballots, the same to be paid out of the city treasury.

SEC. 17. That all ordinances or parts of ordinances heretofore passed and relating to the regulation of city elections are hereby repealed.

SEC. 18. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed February 4, 1911.

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### OFFICERS AND TERMS.

AN ORDINANCE providing for the election of city officers, fixing their terms and providing for filling vacancies in such positions.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there shall be held in the city of Sioux City, Iowa, on the last Monday in March, 1912, the regular city election and on the last Monday in March biennially thereafter, at which time there shall be elected by the plurality of votes of the qualified electors of said city, the following municipal officers, who, when qualified, shall hold their respective offices for the term of two years and until their successors in office are duly elected and qualified, to-wit: One mayor and four councilmen. Said officers shall be elected at large and every person elected to any office under this ordinance shall be a resident and qualified elector of this city and shall reside within the limits of said city during the term of his office. Said officers shall be nominated at large in a primary election to be held on the second Monday preceding the general municipal election, which primary election shall be conducted as provided in an act to provide for the government of certain cities "additional to title V (five) of the code of Iowa" as amended. Said election shall be conducted in all respects, as far as practicable, as elections for state and county officers.

Said officers shall qualify and their terms of office shall begin on the first Monday after their election.

SEC. 2. If any vacancy occurs in the office of mayor or councilmen the remaining members of said council shall appoint a person to fill such vacancy during the balance of the unexpired term.

SEC. 3. All ordinances or parts of ordinances heretofore passed and relating to the election of municipal officers and their terms of office, are hereby repealed.

SEC. 4. The provisions of this ordinance shall apply to the mayor and four councilmen elected at the regular municipal election held in this city on the last Monday in March, 1910, as to term of office and filling vacancies.

SEC. 5. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed February 4, 1911.

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### BONDS OF CITY OFFICERS.

AN ORDINANCE fixing the amount of bonds of certain city officials and authorizing superintendents to require bonds of certain employes in their respective departments and fix the amount thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the officers of the city of Sioux City hereinafter named shall, in addition to the oath or affirmation required by law, execute a bond to the city of Sioux City, with two or more sufficient sureties, or a surety company authorized to do business in the state of Iowa, to be approved by the city council, conditioned for the faithful performance of their respective duties, and that they will account for and pay over to the persons entitled to receive the same, all moneys or other property belonging to said city which may in any manner come into their hands, in the following sums, respectively: Mayor, two thousand dollars; city clerk, two thousand dollars; city solicitor, two thousand dollars; city health officer, two thousand dollars; city treasurer, one hundred thousand dollars; city auditor, five thousand dollars; superintendent of markets, one thousand dollars; scaler of weights and measures, one thousand dollars; clerk police court, two thousand dollars; city marshal and ex-officio chief of police, five thousand dollars; chief engineer fire department, five thousand dollars; poundmaster, two thousand dollars; city civil engineer, five thousand dollars; sexton Floyd cemetery, one thousand dollars.

SEC. 2. The superintendents of the different departments are hereby authorized to require bonds from employes in their respective departments, not mentioned in Section 1 hereof, and to fix the amount of said bonds, whenever they shall deem such action necessary. Such bonds shall comply as to sureties with other bonds herein required and shall be approved by the city council.

SEC. 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SEC. 4. This ordinance shall be in full force and effect from and after its passage and publication, as provided by law, and it is expressly provided that, after such publication, any officer or employe, who has heretofore filed a bond, may substitute therefor a new bond in accordance with the provisions of this ordinance.

Passed May 21, 1910.

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### CIVIL SERVICE COMMISSIONERS.

AN ORDINANCE appointing civil service commissioners for the city of Sioux City, Iowa.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That in accordance with the provisions and requirements of section 1056-a of chapter 14-c of the supplement to the code, 1907, as amended by the acts of the thirty-third general assembly, the following are appointed civil service commissioners of the city of Sioux City, Iowa, for the terms mentioned, respectively:

John B. Keefe for the term ending on the first Monday in April, 1912;

George E. Westcott for the term ending on the first Monday in April, 1914;

Adolph Hermann for the term ending on the first Monday in April, 1916.

SEC. 2. The powers and duties of said civil service commissioners shall be as defined in section 1056-a of chapter 14-c of the supplement to the code, 1907.

SEC. 3. This ordinance being required by the provisions of chapter 14-c, supplement to the code of Iowa, 1907, shall be in full

force and effect from and after its passage and publication as required by law.

Passed April 9, 1910.

Note—A. C. Lutze was appointed commissioner April 23, 1910, for the unexpired term of Adolph Hermann, deceased.

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### PUBLIC LIBRARY TRUSTEES.

AN ORDINANCE providing for term of office of trustees of the public library of Sioux City and defining their powers and duties.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there shall be a board of trustees of the public library in Sioux City, consisting of three members, to be appointed by the city council. Of said trustees first appointed, one shall hold office for two, one for four, and one for six years, from the first day of July following their appointment; and, at their first meeting, shall cast lots for the respective terms, reporting the result of such lot to the council. Biennially thereafter, before the first day of July, the city council shall appoint one trustee to succeed the trustee retiring on the following first day of July, who shall hold office for six years from such first day of July, and until his successor is appointed and qualified. Vacancies occurring in the board shall be filled by appointment by the council, such appointees to fill out the unexpired term for which the appointment is made. The removal of any trustee permanently from the city shall render his office as trustee vacant. Members of said board shall receive no compensation for their services. If trustees have been appointed by the city council prior to the passage of this ordinance, they shall proceed as to their respective terms, as provided in this section.

SEC. 2. Said board of library trustees shall have and exercise the following powers: To meet and organize by the election of one of their number as president of the board, and by the election of a secretary and such other officers as the board may deem necessary; to have charge, control and supervision of the public library, its appurtenances and fixtures, the rooms containing the same, directing and controlling all the affairs of such library; to employ a librarian, such assistants and employes as may be necessary for the proper management of said library, and fix their compensation; but,

prior to such employment, the compensation of such librarian, assistants and employes shall be fixed for the term of employment by a majority of the members of said board voting in favor thereof; to remove such librarian, assistants or employes by a vote of two-thirds of such board, for misdemeanor, incompetency or inattention to the duties of such employment; to select and make purchases of books, magazines, periodicals, papers, maps, journals, furniture, fixtures, stationery and supplies for such library; to authorize the use of the library by non-residents of Sioux City and to fix charges therefor; to make, adopt, amend, modify or repeal by-laws, rules and regulations, not inconsistent with law, for the government, use, care and management of the library and the business of said board, fixing and enforcing penalties for the violation thereof. The said board shall be subject to the control of the city council at all times and the council shall have power to remove, by a majority vote, any member of the board and appoint another trustee to fill the vacancy caused by such removal. The board of library trustees shall keep a record of its proceedings.

SEC. 3. Said board shall have control of the expenditure of all taxes levied for library purposes, as provided by law, and of the expenditures of all money available by gift or otherwise for the erection of a library building and of all moneys belonging to the library fund, subject to the city council, which shall retain general supervision of the said board, and may require reports from it whenever it may be deemed necessary. All pay rolls and other expenditures of said library shall be certified by the president or other officer of the board, to the department of accounts and finances, and allowed by the city council, before payment.

SEC. 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SEC. 5. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed May 28, 1910.

**CORPORATE SEAL.**

AN ORDINANCE providing for and describing the corporate seal of the city of Sioux City, Iowa:

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the corporate seal provided for said city, the impression on which around the margin are the words City Seal and in the center of which are the words Sioux City, Iowa, shall be and the same is hereby declared to be the corporate seal of the city of Sioux City, Iowa.

SEC. 2. That said corporate seal shall be kept in charge and custody of the mayor.

SEC. 3. That a certain ordinance of the city entitled an ordinance describing the seal of the city and of the city clerk passed by the city council January 25, 1871, be and the same is hereby repealed.

Passed June 7, 1898.

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**RECORDING AND PUBLISHING OF ORDINANCES.**

AN ORDINANCE providing for the recording and publishing of ordinances.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all ordinances shall be recorded in a book kept for that purpose and be authenticated by the signature of the presiding officer of the council and the clerk and all ordinances of a general or permanent nature and those imposing any fine, penalty or forfeiture, shall be published in some newspaper of general circulation in the city and when the ordinance is published in a newspaper it shall take effect from and after its publication.

SEC. 2. Immediately following the record of every ordinance the clerk shall append a certificate stating therein the time and manner of publication thereof, which certificate shall be presumptive evidence of the facts therein stated.

SEC. 3. When the ordinances of said city are published in book or pamphlet form, such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances as of the dates mentioned or provided for therein in all courts and places without further proof and when the ordinances are so published it

shall not be necessary to publish them in the manner provided for in preceding sections one and two.

SEC. 4. All ordinances that conflict with any of the provisions of this ordinance are hereby repealed.

Passed June 23, 1898.

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### DUTIES OF CITY OFFICERS.

AN ORDINANCE defining the duties of the officers of the city of Sioux City.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SEC. 1. That in addition to the duties required by the laws of the state of Iowa, and in conformity therewith, the officers of the city of Sioux City, elected by the votes of the duly qualified electors of said city, or appointed as by law and the ordinances of said city provided, shall perform the duties hereinafter severally required of them, and such other duties as are necessarily incident thereto.

#### The Mayor.

SEC. 2. It shall be the duty of the mayor:

To preside at all meetings of the city council.

To supervise all departments and report to the council for its action all matters requiring attention in any.

To recommend in writing, from time to time, to the city council such measures as he shall deem best for the interests of the city.

To exercise the powers conferred upon him by law for the peace, good order, health, safety and morality of the city and the citizens thereof.

To sign all ordinances and resolutions and contracts to which the city may be a party and to cause the same to be faithfully and honestly performed.

To perform such other duties not inconsistent with the duties herein prescribed as the city council shall from time to time by resolution prescribe.

#### Treasurer.

SEC. 3. It shall be the duty of the city treasurer:

To receive and safely keep all moneys of the city that may in any manner come into his hands by virtue of his office.

To give all persons paying money into the treasury his receipt therefor, specifying the date, amount, and upon what account paid, and return a duplicate receipt therefor in the book and report total amount of the same to the city auditor once each month.

To pay no money out of the city treasury except upon the warrant of the city auditor, properly authenticated.

To keep a full and accurate account of all moneys and other things received by him on behalf of the city, specifying from whom, when and upon what account received, and also a full and true account of all disbursements, specifying when, to whom, from what fund and upon what account paid, the same to be kept in books provided for that purpose by the city.

To keep a separate account of each fund belonging to said city and the debits and credits thereto belonging.

To keep a record in a book provided by the city for said purpose, which shall show the following particulars in relation to all warrants, to-wit: the date of presentment, by whom presented, to whom payable, the number, date, amount, whether paid or not; if not, why not; if paid, the amount of principal and interest separately, and such other matters in relation thereto as may by him be deemed of importance.

To take a receipt for any amount of interest paid on any warrant, and when said warrant is paid, to write or stamp the word "canceled" upon the face thereof and file and preserve the same until reported to the city council for their action thereon. To also cancel in like manner all warrants, bonds, coupons, orders, or evidences of debt due by the city, whenever paid by him.

To keep a cash book on which shall be kept an account showing the following particulars or show same on warrant paid book and register of receipts book: the several amounts received by him, the date of receipt of each amount, the name of the person from whom the same was received, and upon what account the same was received; said books shall also show each separate amount paid out by him, the date of payment, to whom paid, from what fund, and the number and series of the warrant upon which the same was paid. Said account shall be posted up and the balance carried forward on the last day of each month, and a report thereof made as herein-after provided.



To draw from the county treasurer all funds belonging to the city at least once each month, giving duplicate receipts therefor.

To make such reports as shall be required by the superintendent of the department of accounts and finances or the city council.

To make a complete settlement with the council at the expiration of his term of office, to record such settlement in his books and to deliver all books, papers and records belonging to the city to his successor in office.

#### **Auditor.**

SEC. 4. It shall be the duty of the city auditor:

To draw and attest by his signature and the seal of the city all warrants upon the city treasury.

To keep separate accounts of all the revenues, funds and income payable into the city treasury, and also of all moneys received on account for any purpose by said treasurer as shown by his duplicate receipts filed in said auditor's office.

To keep separate and accurate accounts of the city with any and all of its officers.

To keep such records and accounts as shall be provided for by section 1056-a 10, chapter 14-a, of the supplement to the code of Iowa, requiring a uniform system of municipal accounts.

To keep a record of all warrants drawn upon a stub from which said warrant was drawn and attached, showing the number, amount, date, payee's name, on what account, upon what fund or appropriation, and a receipt for the same signed by the payee thereof.

To make such reports as shall be required by the superintendent of the department of accounts and finances or the city council.

To account, at the expiration of his term of office, for all books, papers and property of the city in his possession and transmit the same to his successor in office.

#### **City Solicitor.**

SEC. 5. It shall be the duty of the city solicitor:

To prosecute and defend all suits to which the city may be a party in all the courts of the state and of the United States.

To prosecute all appeals when the interests of the city require such appeals to be taken, and to prosecute all suits for violation of any city ordinance.

To prosecute all criminal proceedings in behalf of the city before the police court, arising under any of the city ordinances.

To give his advice to the city council, or any of its members, on any legal question arising relative to the business of the city.

To give his opinion in writing whenever so desired by the city council, or any of its members, which shall be preserved by the city clerk among the city records.

To draw all contracts to which the city is a party; to draw all bonds providing for faithful performance of such contracts and to draw such deeds as shall be given by the city upon order of the city council.

To draw all ordinances required for any purpose by the city council and to review all city ordinances whenever the same shall be presented to him for that purpose by the city council, before their final passage.

To perform such other services pertaining to his office and profession as the interests of the city shall seem to require, or which may be imposed by the city council.

To manage and conduct on behalf of the city all condemnation proceedings where private property shall be taken for public uses, as provided by law.

To attend all regular meetings of the city council and all special meetings of the city council when notified by them so to do.

To sign the name of the city to all appeal bonds and to all other bonds or papers of whatever kind that may be necessary in legal proceedings, or for the prosecution of any cause in court, and the same when so signed shall be binding upon the city.

To make a report to the city council at the first regular meeting in April in each year, giving an abstract of all cases in which he has been engaged in behalf of the city during the preceding year, with the result or condition of the same.

To keep and transmit to his successor in office a docket of all cases in which the city is a party, together with all books, papers and documents pertaining to his office and belonging to the city.

### **City Civil Engineer.**

SEC. 6. It shall be the duty of the city civil engineer:

To make, or cause to be made, all plats, necessary surveys, drawings, estimates and specifications, for all public works when ordered by the city council.

To report a grade for all streets at the time and in the manner required by the city council, and make a profile and schedule thereof, which shall be filed in his office and a record made thereof. He shall also report plans and estimates for the changing of any grade on any street before established.

To prepare plats and schedules of all work done by the city and assessable to abutting or adjacent property.

To superintend, under the direction of the superintendent of the department of streets and public improvements, the construction of all bridges, culverts, drains and sewers, the grading, planking, curbing, guttering, paving and improvement of streets generally, and any and all public improvements as may be ordered by the city council.

To make such reports, and do such other work properly within his office, as shall be required by the superintendents of streets and public improvements, public safety and parks and public property.

To inspect gas, electricity, steam heat, plumbing, building, and such other work, when so ordered by the city council.

To preserve and safely keep and file in his office all maps, surveys, plats, books, papers and all other things pertaining to his office belonging to the city, all of which, together with instruments, furniture and materials belonging to the city, and in his possession, he shall deliver to his successor in office.

### **City Clerk.**

SEC. 7. It shall be the duty of the city clerk:

To be present at all meetings of the city council and to keep a correct journal of the proceedings thereof.

To keep and file by number and date all communications and petitions addressed to the city council, and endorse thereon the action thereon of the city council.

To preserve and safely keep all public documents ordered filed in his office, and to furnish any city officer a copy thereof when the same shall be necessary to such officer in the discharge of his duties as such.

To keep a record, properly indexed, of all ordinances, resolutions and other measures passed by the city council, which are by law required to be recorded, stating the date of their passage and approval and publication, where publication is required, and attest and authenticate the same with his signature.

To keep a full and correct record of all city elections, whether regular or special, and to perform such duties as are required by law and ordinance of the city clerk, pertaining to elections.

To act as clerk of the board of health, the civil service commission and the local board of review of assessments, to attend all meetings of each body and keep a record of the proceedings thereof.

To make such reports as shall be required by the mayor or the city council, and at the termination of his term of office, to turn over all property, documents, books and records in his office belonging to the city, to his successor in office.

To issue all licenses, under the direction of the mayor, and to keep a record thereof in a book which shall show the date issued, number of license, number of treasurer's receipt, name of person, firm or corporation to whom issued, term of license, for what issued and number of tag, if any be given with license.

#### **Police Judge and Clerk.**

SEC 8. It shall be the duty of the police judge to maintain a court in which shall be tried all violations of the city ordinances and to exercise the powers conferred upon him by law and the ordinances of the city as shall be conducive to the peace, health, good order and safety of the citizens of the city.

It shall be the duty of the clerk of the police court to attend all sessions thereof and to perform such duties therein as shall properly be required of him.

In the exercise of such powers and duties as are by law and the ordinances of the city imposed upon the police judge and the clerk of the police court, they shall in all respects be governed by the provisions of a certain ordinance entitled: "An ordinance regulating the practice in the police court of the city of Sioux City."

#### **City Marshal.**

SEC. 9. It shall be the duty of the city marshal:

To serve by himself or deputy all legal process to him directed by the council, police judge or other competent authority, and such notices to property owners and others as shall be required by the ordinances of the city.

To perform such duties pertaining to the office of marshal and ex-officio chief of police as shall be required by the rules and regula-

tions of the police department, or by the superintendent of public safety, or the city council.

### **Market Master.**

SEC. 10. It shall be the duty of the market master:

To perform such duties as are required of him by law and the ordinances of the city in relation to markets and do public weighing and to keep such accounts and make such reports as shall be required by the superintendent of the department of accounts and finances or the city council.

### **City Assessor.**

SEC. 11. It shall be the duty of the city assessor:

To make an assessment of property within the limits of the city, and make such return thereof as is required by the laws of the state in relation to the assessment of taxes.

To attend all sessions of the local board of review of assessments.

### **Engineer Sewer Pumping Station.**

SEC. 12. It shall be the duty of the engineer of the sewer pumping station:

To have charge of the pumping plant and machinery of the sewer pumping station and to operate the same whenever such operation shall be required for the purpose of keeping said sewers in condition to properly convey the sewerage therein; to see that the engines, pumps and machinery are kept in good, safe condition and repair for the purpose for which they are designed.

In the exercise of his duties as such engineer he shall at all times be subject to the direct supervision of the superintendent of the department of streets and public improvements.

SEC. 13. An ordinance entitled: "An ordinance defining the duties of the officers of the city of Sioux City," passed August 27, 1888, an ordinance entitled: "An ordinance providing for the appointment of an engineer of the sewer pumping station, describing his duties and salary," and all ordinances or parts of ordinances relating to the duties or method of appointment of any officer mentioned in this ordinance, and passed prior to April 4, 1910, are hereby repealed.

SEC. 14. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed February 18, 1911.

**COMPENSATION OF OFFICERS AND EMPLOYES.**

AN ORDINANCE providing for the compensation of various city officers and employes of the city of Sioux City, Iowa.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the various city officers of the city of Sioux City shall receive as full compensation for their services a salary as hereinafter provided and that said salaries shall be in lieu of all fees or other compensation in the way of fees or otherwise.

SEC. 2. The mayor shall receive an annual salary of \$3,000.00.

SEC. 3. Each councilman shall receive an annual salary of \$2,500.00.

SEC. 4. The city solicitor shall receive an annual salary of \$2,000.00.

SEC. 5. The city treasurer, in lieu of all fees, interest on city money or other compensation, shall receive an annual salary of \$1,500.00.

SEC. 6. The city auditor shall receive an annual salary of \$1,500.00.

SEC. 7. The city civil engineer shall receive an annual salary of \$2,000.00.

SEC. 8. The police judge shall receive an annual salary of \$900.00.

SEC. 9. The city clerk, who shall also be secretary of the civil service commission, clerk of the local board of review of assessments and secretary of the board of health, without extra compensation, shall receive an annual salary of \$1,500.00.

SEC. 10. The clerk of the police court shall receive an annual salary of \$420.00.

SEC. 11. The superintendent of markets shall receive an annual salary of \$620.00; all fees received for weighing for private persons, firms or corporations to be accounted for and paid into the city treasury.

SEC. 12. The superintendent of the waterworks shall receive an annual salary of \$1,800.00.

SEC. 13. The street commissioner shall receive an annual salary of \$1,200.00.

SEC. 14. The sewer inspector shall receive an annual salary of \$1,200.00.

SEC. 15. The city health officer shall receive an annual salary of \$720.00.

SEC. 16. All other officers and employes of the city not mentioned in this ordinance shall receive such salary and compensation for services as shall be fixed by the superintendent of the department to which they are assigned, respectively, subject to the approval of the city council.

SEC. 17. All officers and employes whose compensation is provided for in this ordinance, and all officers and employes of the city shall receive their salaries in equal monthly installments, payable on the first secular day of each month for the month preceding.

SEC. 18. Nothing in this ordinance shall be construed as changing the compensation of any officer or employe of the city until the expiration of his present term of office or employment.

SEC. 19. All ordinances in regard to compensation of officers, members of the city council and employes of the city of Sioux City, herein enumerated, heretofore passed, are hereby repealed.

SEC. 20. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed February 4, 1911.

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## REQUIRING UNION LABEL ON ALL CITY PRINTING.

AN ORDINANCE directing and requiring the use of the union label of the Allied Printing Trades Council of the city of Sioux City, Iowa, on printed matter and blank books used by the city of Sioux City, Iowa.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all printing, binding and blank books used and ordered by the city of Sioux City for official purposes at the expiration of present existing contracts shall bear the imprint of the recognized union label of the Allied Printing Trades Council.

SEC. 2. All ordinances, or parts of ordinances, in conflict with this ordinance are hereby repealed.

Passed November 14, 1899.

## PROHIBITING PUBLICATIONS OF SCANDALOUS NEWSPAPERS, ETC.

AN ORDINANCE punishing all persons editing, publishing or disseminating any newspaper, pamphlet, magazine, or any printed paper devoted mainly to the publication of scandals and immoral conduct of persons.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That every person or persons who shall, within the city of Sioux City, engage in the business of editing, publishing or disseminating any newspaper, pamphlet, magazine, or any printed paper, devoted mainly to the publication of scandals, whorings, lechery, assignations, intrigue between men and women, and immoral conduct of persons, or any person or persons who shall, knowingly, have in his or her possession for sale, or shall keep for sale, or expose for sale, or distribute or in any way assist in the sale, or shall gratuitously distribute or give away any such newspaper, pamphlet, magazine, or printed paper, in this city, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum of not less than twenty-five dollars or more than one hundred dollars for each and every offense.

Passed August 30, 1892.

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## BOARD OF HEALTH.

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### General Rules and Regulations.

*Be it resolved by the board of health of the city of Sioux City, Iowa, that the following rules and regulations for the protection of the public health are hereby adopted:*

RULE 1. No person shall deposit or throw or cause to be deposited or thrown into any sewer, sewer inlet, manhole, privy vault, cesspool having sewer connections, any animal or vegetable substance, or any hay, straw, ashes, cinders, sticks, shavings, trash, oyster shell or cans, rubbish, broken ware, or iron, or other metal, or any article of whatever kind or nature, that is liable to choke up or otherwise obstruct the free flow of water therein.

RULE 2. No person shall deposit or throw or cause to be deposited or thrown in or upon any street, avenue, alley, sidewalk,



park, public square, public enclosure, lot, vacant or occupied except as the same may have been designated as a dumping ground, nor upon any pond or pool of water, any ashes, cinders, slops, filth, excrement, saw-dust, stones, rock, dirt, straw, soot, dust, sticks, shavings, oyster shells or cans, paper, trash, rubbish, manure, refuse, waste water, offal, fish, putrid meat, entrails, decayed fruit or vegetables, broken ware, rags, old iron or other metal, old wearing apparel, animal or vegetable matter, dead animals or other offensive or disagreeable substances or thing which may emit any foul, noxious or unhealthy smell, odor, or effluvium.

**RULE 3.** No offal or dead animals of any kind shall be thrown upon the streets or left exposed by any person. No butcher, fish monger, or vender of merchandise of any kind shall leave any refuse upon the streets or alleys, or uncovered by earth, upon any of the lots of the city. No green nor salted hides may be deposited or left in any open or public place. All putrid and decaying animal or vegetable matter must be removed from all cellars on or before May 1st in each year.

**RULE 4.** No person shall keep or collect any stale, putrid or unsound fat, grease, meat, carcass, entrails or other matter, nor render or fry out the same, unless such keeping, collection or rendering be done in such manner that no offensive smell or odor or unhealthy fumes shall arise therefrom.

**RULE 5.** No person owning or having in his possession any carcass of any dead animal, shall suffer the same to be or remain upon any street, alley, sidewalk, or other public place, nor upon any private lot or premises.

**RULE 6.** No person shall throw, or cause to be thrown, any dead animal upon or into any river, well, spring, cistern, reservoir, stream, or pond within the limits of the city.

**RULE 7.** No person shall discharge out of any house, tannery, brewery, manufactory, shop, packing house, barn, stable, meat shop, or other building or grounds, any foul, disagreeable or nauseous liquids or substances of any kind whatever into any pond, pool or adjoining ground, or into or upon any street, alley, public ground, or upon any private property, lot or premises owned by himself or another.

**RULE 8.** No person shall cause or permit any sewer drain over which he may have control to empty into any lake, pond or other

source of water used for drinking or culinary purposes, nor into any standing water within the jurisdiction of this board.

RULE 9. All sewer drains that pass within fifty feet of any source of water used for drinking or culinary purposes shall be made water tight by the person responsible for the construction of such drain, and in sandy sub-soil the limit shall be eighty feet.

RULE 10. No privy vault nor any cesspool or reservoir into which a privy, water closet, stable or sink is drained, except it be water tight, shall be established or permitted within fifty feet of any well, spring, or other source of water used for drinking or culinary purposes.

RULE 11. No privy vault or cesspool shall be allowed to open into any stream or ditch or drain except common sewers.

RULE 12. No person shall suffer or allow any cellar, vault, privy or cesspool upon any premises owned or occupied by him, or under his control, to become foul, nauseous or offensive to the smell, or injurious to the health of any person or the public; and he is required to remedy such offensive condition within twenty-four hours after notification by the health officer or sanitary policeman.

RULE 13. The following requirements are prescribed in the construction or maintenance of privy vaults or cesspools:

First. For all privies the vault or sink must be not less than six feet deep, except it has connection with a public sewer.

Second. For all cesspools, the sink must be not less than twelve feet deep, except it has connection with a public sewer.

Third. For all privies and cesspools hereafter constructed, the sink or vault must be thoroughly cemented on all sides from top to bottom, so as to prevent the contents thereof percolating through the earth adjacent thereto, except the same shall have connection with some public sewer.

Fourth. In all privy vaults and cesspools, the contents must not be allowed to accumulate to a height nearer than three feet from the surface of the earth adjacent to such privy or cesspool.

RULE 14. No night soil or contents of a privy vault or cesspool shall be removed unless previously deodorized by mixing with a solution of copperas, and during the removal of the material it shall be covered with a layer of fresh earth, except the removal be by the odorless excavating process.

RULE 15. The owner or any person having the care of any

animal within the limits of Sioux City, knowing or having reason to believe said animal to have the disease called glanders or farcy, shall not lead, drive or permit such animal to go in or over any public grounds, uninclosed lands, street, road, public highway, lane or alley of this city, nor water such animal or permit it to drink from any public water trough, pail or spring, nor suffer such animal to be kept in any enclosure in or from which it may come in contact with or in close proximity to any other animal not affected with such disease; and such person aforesaid shall within twenty-four hours, give notice to the mayor or the health officer of the location of the diseased animal; and any veterinary surgeon, or any person who acts as such, who shall have knowledge of any animal diseased with glanders or farcy within the jurisdiction of this board, shall within twenty-four hours give notice of the same to the mayor or the health officer.

RULE 16. Any animal affected with glanders shall, after notice from this board, be immediately killed and buried deep, without removing the hide from the carcass.

RULE 17. No person shall sell or give away or offer for sale any carcass of any swine that may have died of any disease, or that may have been killed on account of any disease.

RULE 18. No person shall convey upon or along any public highway or other public ground in this city, or any private land, any diseased swine or the carcass of swine that may have died of or been killed on account of any disease; and the proof that any person has hauled or is hauling dead swine from a neighborhood in which swine have been dying or at the time are dying from disease, shall be presumptive evidence of a breach of these rules and regulations.

RULE 19. No person shall build or construct or maintain, or cause to be built or maintained, any building or pen on any street, alley or public ground, or on any premises owned or occupied by him within the limits of the city wherein hogs, cattle or sheep shall be kept so that an offensive, disagreeable or noxious smell arises therefrom to the injury or annoyance of any person.

RULE 20. Between the first day of May and the first day of November of each year, no hogs shall be kept or fed otherwise than for the ordinary purposes of commerce only, except in pens with floors, the pens to be kept entirely free from standing water and

regularly and freely disinfected, and distant at least twenty-five rods from any dwelling other than that of the owner or keeper of such hogs, unless the consent of the occupant of such dwelling shall have been secured.

RULE 21. No person shall kill or suffer to be killed for the purpose of sale, any calf less than four weeks old, nor expose for sale any meat of any calf so killed.

RULE 22. The flesh of pregnant animals must not be sold or used for human food after the seventh month of pregnancy for cows and the tenth week for sows.

RULE 23. No person shall sell, offer or expose for sale, or give away, any diseased, stale, decayed or corrupted meat or provisions to be used for food or drink.

RULE 24. No person shall adulterate for the purpose of sale any milk, liquor or fluid of any kind, to be used for food or drink; and no person shall sell, expose for sale or give away any such adulterated article.

RULE 25. No person shall adulterate for the purpose of sale any drug or medicine of any kind; nor sell, expose for sale, or give away any such adulterated drug or medicine.

RULE 26. No person shall burn upon premises owned or occupied by him or others, or upon any vacant lot or lots, or upon any public place, street or alley, any substance, the burning of which creates an offensive smell or odor.

RULE 27. All keepers of hotels, restaurants and boarding houses and others accumulating garbage in larger quantities than from ordinary household operations, are required to have a proper covered receptacle for swill and house offal, and to cause the contents to be regularly removed as often as twice each week between the first day of May and the first day of November, and once each week at other seasons.

RULE 28. No person shall overturn any receptacle provided for collection of garbage, either wet or dry, from any hotel, restaurant, boarding house, private residence or other building, nor disturb or scatter the contents of such receptacle.

RULE 29. All matters, things, erections, buildings, substances, articles, pursuits or excavations kept, maintained, permitted or indulged by any person or persons, whether as owners, agents or occupants of the premises involved therein, that shall be injurious, dis-

agreeable, unhealthy, dangerous, noxious or annoying to the general public, and particularly to the citizens and residents of the city, are prohibited by these rules and regulations.

Adopted October 18, 1902.

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### Quarantine Regulations.

RULES AND REGULATIONS adopted by the local board of health to conform to those adopted by the Iowa state board of health.

*Be it ordered by the local board of health of the city of Sioux City, Iowa, that the following rules and regulations be adopted:*

RULE 1. The following diseases are subject to quarantine: Scarlet fever (including scarletine and scarlet rash), diphtheria (including membranous croup), smallpox, cholera, leprosy, epidemic cerebro-spinal meningitis and bubonic plague.

RULE 2. Quarantine shall be established by serving a written notice, signed by the mayor, upon the head of the family or occupants of the premises and posting in a conspicuous place upon each building, hall, lodging room, or place wherein exists or is suspected to exist an infectious disease, the following described sign: A yellow card not less than twelve inches square, having printed thereon in large letters the word "Quarantine," followed by the name of the disease and the words: "Notice! No person shall be permitted to enter or leave these premises except as provided by the rules and regulations of the state board of health. Signed ..... , mayor."

RULE 3. All cases of diseases listed in Rule 1 shall be immediately reported to the mayor by the physician, if any be in attendance, otherwise by the householder of the premises wherein such disease exists. In every case a written notice also shall be sent within twenty-four hours to the mayor.

RULE 4. SECTION 1. It shall be the duty of the mayor, upon receiving notice of the existence of any case of disease listed in Rule 1, to forthwith quarantine the premises as provided for in Rule 2, and to take such other measures as may be necessary for the restriction and suppression of such disease.

SEC. 2. It shall be the duty of the mayor to report to the secretary of the state board of health, within twenty-four (24) hours after being notified thereof, every case of quarantinable disease reported

to him; and upon being notified of the subsidence of such disease to likewise immediately report that fact, together with the mode of termination, whether by death or recovery. All reports provided for in this regulation, shall be made upon postal cards in accordance with the forms adopted by the state board of health.

SEC. 3. The mayor shall designate and detail certain peace officers as sanitary police.

SEC. 4. Sanitary police officers shall visit all quarantined premises within their jurisdiction at least once in every twenty-four (24) hours to see that quarantine is properly observed, and shall make daily report thereof to the mayor.

RULE 5. If any person shall wilfully or maliciously, or without written authority, remove or deface or cause to be removed or defaced, any quarantine sign or signal of danger, officially posted upon the quarantined premises, as provided by regulations of the state board of health, he shall be deemed to have violated the regulations of the state board of health, and shall be prosecuted accordingly.

RULE 6. Upon the termination of any of the diseases named in Rule 1, the attending physician or health officer shall report the fact in writing to the mayor, who shall then order the infected premises, together with all persons, furniture, bedding, clothing and all other articles therein contained, to be disinfected according to the regulations of the state board of health, and under the direction of the local board of health, which shall direct the attending physician to superintend or perform the work. In case there be no attending physician, or in case the attending physician refuses to perform the work, or fails to perform it, according to the regulations of the state board of health, it shall be the duty of the local board of health to provide some other suitable person to perform such work.

RULE 7. Whenever any premises are quarantined, special attention must be given to all pet animals kept therein. Cats and dogs shall be excluded from the house, and prevented from running at large. Before the quarantine is raised all such animals shall be thoroughly washed in a disinfecting solution. Special precautions must be taken to destroy all mice and rats. When flies are present, all doors and windows shall be securely screened and fresh fly paper placed in each room daily.

RULE 8. Quarantine shall be released only upon order of the mayor, after receipt of a written report from the attending physician

or health officer stating that the disease has terminated and that the premises and all infected persons have been properly disinfected in strict accordance with Rule 6. This report shall state the number of persons on the premises, the number who have suffered from the disease, their names, ages, when the disease appeared in each case and how it terminated. When all regulations pertaining to quarantine and disinfection have been complied with the quarantine shall be released.

**RULE 9.** No letters or other articles coming from quarantined premises shall under any circumstances be placed in any post office, letter box or rural delivery. If, on account of carelessness or neglect, any such infected article shall have been placed in a post office, letter box or rural delivery, all such letters or articles, together with such other articles as have come in contact therewith, shall be detained and immediately disinfected by the health officer, without unnecessary delay or removal from the custody of the postmaster.

**RULE 10.** No person except the attending physician shall be permitted to enter or leave any premises while the same are under quarantine, except as specially provided for by the regulation of the state board of health and in strict accordance therewith. The secretary or members of the state board of health may enter any premises under quarantine whenever, in their opinion, it is necessary for purposes of investigation or to enforce the regulations of the state board of health.

### **Special Regulations.**

**RULE 1. Scarlet Fever. SECTION 1.** Quarantine shall be maintained in scarlet fever until the complete recovery of the patient, including complete desquamation, and this shall be certified to by the attending physician, or health officer.

**SEC. 2.** In case the disease terminates by death, quarantine may be released unless there are other children on the premises who have not had the disease, in which case the quarantine shall be maintained for ten days after the date of death.

**SEC. 3.** Quarantine shall not be released in any case until the infected persons and the infected premises have been disinfected according to Rule 6 of quarantine regulations.

**RULE 2. Diphtheria. SECTION 1.** The period of quarantine for diphtheria shall be determined by release cultures whenever possible and the following rules shall be rigidly observed:

1. Each culture shall be taken by the attending physician from both nose and throat of the patient.

2. No culture for release shall be taken until 5 days after the disappearance of all membrane or inflammation of the nose or throat.

3. Second and subsequent cultures shall not be taken within twenty-four hours of the preceding culture.

4. All examinations of cultures for release shall be made by a bacteriologist appointed by the director of the state bacteriological laboratory.

5. Quarantine shall not be released until two consecutive negative cultures are reported by the bacteriologist to the mayor.

SEC. 2. In case the culture method for release is not used quarantine shall be maintained for 28 days from the beginning of the last case on the premises.

SEC. 3. If the disease terminates by death, quarantine may be released unless there are other children on the premises, in which case quarantine must be maintained for 7 days longer. In case the surviving children have been recently protected by immunizing doses of antitoxin and one negative culture has been made from the nose and throat of each, in accordance with the rule for release cultures, the quarantine may be released.

SEC. 4. The breadwinner of the family quarantined for diphtheria may be permitted to pursue his usual avocation at the discretion of the local board of health, but no person from the infected premises shall be permitted to attend any public gathering or school in any capacity, nor to travel upon any public conveyance. To obtain permission from the local board of health to leave the premises the breadwinner shall agree not to enter the sick room and he shall change his clothing upon leaving and entering the infected house and shall wash his face and hands in a disinfecting solution.

SEC. 5. Quarantine shall not be released in any case until the infected persons and infected premises have been disinfected according to Rule 6 of quarantine regulations.

RULE 3. Smallpox. SECTION 1. Quarantine shall be maintained in smallpox until the complete recovery of the patient and until after the disappearance of crusts from all parts of the body, as certified to in writing by the attending physician or health officer.

SEC. 2. In case of the termination of the disease by death, quarantine may be released unless there are persons on the premises



who are unprotected from smallpox, either by vaccination or having previously had smallpox, in which case the quarantine shall be continued for 14 days longer.

SEC. 3. Any person who has been vaccinated within three years, or who has had smallpox, may be released from quarantine upon proper disinfection of his person and clothing.

SEC. 4. Quarantine shall not be released in any case until the infected premises and all infected persons have been properly disinfected according to Rule 6 of quarantine regulations.

RULE 4. Vaccination. SECTION 1. Vaccination for smallpox is the introduction by scarification of the bovine vaccine virus through the skin.

SEC. 2. In addition, the Iowa courts have held that the administration by mouth of a proper preparation of variolinum constitutes a legal method of vaccination.

RULE 5. Meningitis. SECTION 1. In case of epidemic cerebrospinal meningitis, quarantine shall be maintained until the recovery of the patient from the acute symptoms, and this shall be certified to by the attending physician or health officer.

SEC. 2. In case the disease terminates by death, quarantine may be released after 10 days from date of death.

SEC. 3. Quarantine shall not be raised in any case until the infected premises and all infected persons have been properly disinfected according to rule 6 of quarantine regulations.

RULE 6. Leprosy. SECTION 1. All persons afflicted with leprosy shall be continuously confined upon their home premises. It shall be the duty of the health officer of the local board of health to report to the secretary of the state board of health, the name, age, social condition and residence of all persons affected with this disease within the community over which he has jurisdiction, and the local board of health shall keep a record of the particulars required herein.

RULE 7. Bubonic Plague. SECTION 1. Quarantine shall be maintained in bubonic plague until complete recovery of the infected person.

SEC. 2. In case of the termination of the disease by death quarantine shall be maintained for 14 days from date of death.

SEC. 3. Quarantine shall not be released in any case until all infected persons and all infected premises are properly disinfected

according to rule 6 of quarantine regulations. In addition, all pet animals and in so far as possible, all rats and mice shall be destroyed.

RULE 8. Asiatic Cholera. SECTION 1. Quarantine shall be maintained in case of Asiatic cholera until the complete recovery of the infected person and this shall be certified to in writing by the attending physician or health officer.

SEC. 2. In case the disease terminates by death, quarantine shall be maintained for 14 days from date of death.

SEC. 3. Quarantine shall not be raised in any case until all infected persons and the infected premises are disinfected according to rule 6 of quarantine regulations.

RULE 9. SECTION 1. The sale of milk or dairy products from any quarantined premises is prohibited.

SEC. 2. However, if the dairy and barns are situated a safe distance from the quarantined dwelling, and if no person, utensil or water from the infected premises comes in contact with such dairy products, the local board of health shall satisfy themselves of these facts and may then allow the said products to be disposed of.

SEC. 3. But such products as have been exposed to infection shall not be sold or disposed of.

RULE 10. Release of healthy persons from quarantine. SECTION 1. Any adult living in premises under quarantine, or any child, who has previously had the disease for which the quarantine has been established, may be released from quarantine, after proper disinfection, by written order of the local board of health, but persons so released shall not re-enter the premises until the quarantine is released. (In quarantine for smallpox no unvaccinated person shall be released before the end of the quarantine period.)

RULE 11. All persons suffering from any disease subject to quarantine, or residing upon premises infected with any such disease, shall be excluded from the public schools. The superintendent, teacher, or other official in charge of any school, shall be held personally responsible for the enforcement of this regulation, and under no circumstances shall such superintendent, teacher or official allow any person so excluded to re-enter such school, except upon the presentation of a written permit, showing that such person has been properly disinfected and regularly released from quarantine. All such permits must be signed by the mayor and by the health officer

of the local board of health. This regulation shall also apply to academies, seminaries and colleges.

RULE 12. SECTION 1. No person suffering from tuberculosis shall be permitted to attend any public or private school as a pupil, nor shall any such person be employed in any school in any capacity.

SEC. 2. Whenever any person shall have reason to believe that this rule is being violated, he shall so inform the mayor and it shall then be the duty of the local board of health to investigate the case and exclude said pupil or employe from school unless the board is fully satisfied that said pupil or employe is not tubercular.

SEC. 3. The local board of health shall cause the health officer to procure from the suspected individual a sample of sputum or other discharge and shall forward this to the state bacteriological laboratory for examination, and shall use such other means as are usual and customary to determine the presence or absence of tuberculosis.

SEC. 4. All examinations made by or for the local board of health shall be free of expense to the patient.

Adopted February 1, 1911.

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### **DRAINING LOTS AND LANDS WHERE WATER BECOMES FOUL AND STAGNANT.**

AN ORDINANCE providing for filling and draining lots or lands on which water becomes foul or stagnant, at the expense of the owner, or owners, thereof and a lien therefor on such real estate.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. The city council may cause any lot or parcel of land within the limits of the city on which water at any time becomes foul or stagnant, or to so percolate the ground, to be filled up or drained in such manner and within such time as may be directed by resolution of the council. A copy of such resolution shall be personally served upon the owner, or owners, or agents or attorneys of such owner, or owners, of any such lot or parcel of land, if residing within Woodbury county, Iowa, otherwise publication of such copy shall be made once each week for two weeks in a daily or weekly newspaper published within the city.

SEC. 2. After the service or publication of the copy of said resolution, as above provided, if the owner, or owners, of such lot, or lots, or real estate, shall fail to comply with the directions therein

contained within the time therein fixed, the city council may order such lot, or lots, or parcel of land, to be so filled or drained, either by the street commissioner or let the work necessary therefor to a contractor, and the costs and expenses thereof shall be by the city council assessed against the said property, and if there be more than one lot or parcel of ground filled or drained, such cost shall be ratably divided among the same and so assessed and such costs and expense shall be a debt due to said corporation from the owner of said lot, or, if more than one, ratably against each owner according to the work done upon the lots respectively, and such assessment shall from the time of the adoption of said resolution be a lien, or liens, on such lot, or lots, or parcels of ground, as in case of special assessments for public improvements, and all provisions of law and ordinances as to certification and collection of such assessments in case of public improvements shall apply thereto.

SEC. 3. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SEC. 4. This ordinance shall take effect from and after its passage and publication as provided by law.

Passed May 12, 1903.

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### EXPOSING OF FRUITS AND VEGETABLES.

AN ORDINANCE regulating the display of fruits and vegetables by merchants and peddlers, and providing a penalty for the violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. No person, firm or corporation, whether acting as agent, employe, manager, or owner, engaged in a business in the carrying on of which blackberries, raspberries, strawberries, mulberries, gooseberries, blueberries, cherries, currants, grapes, peaches, plums, prunes, dates, figs, apricots, asparagus and cauliflower, or other fruits or vegetables of a similar character are displayed for sale, shall expose the same in front of his store, stand, stall, or other place of business, or upon a wagon, cart or other conveyance without sufficient covering or enclosure to protect such articles and which shall protect them from insects and dust and other poison and unhealthy substances or agents.

SEC. 2. Any person found violating the provisions of this ordinance shall be liable to a fine of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00) for each and every offense.

SEC. 3. This ordinance shall be in effect from the date of its publication in the manner provided by law.

Passed June 27, 1905.

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### **PROHIBITING THE SALE OF CERTAIN ICE.**

AN ORDINANCE to prohibit the sale of ice for domestic use that shall have been cut from ponds or streams below the outlet of any sanitary sewer, and providing a penalty therefor.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person, firm or corporation shall sell or offer for sale within the limits of the city of Sioux City, Iowa, any ice for domestic use formed on any pond or stream below the outlet of any sanitary sewer, and within the city limits.

SEC. 2. Any person, firm or corporation violating any of the provisions of this ordinance shall be fined in any sum not exceeding one hundred dollars, or imprisoned in the county jail not to exceed thirty days, and every such sale or attempt at such sale shall be considered a separate offense under this ordinance.

SEC. 3. This ordinance shall take effect and be in force from and after its publication.

Passed January 27, 1903.

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### **PROHIBITING THE CUTTING OF ICE BELOW SEWER OUTLET.**

AN ORDINANCE to prohibit the cutting of ice in the Missouri, Floyd or Big Sioux Rivers below the outlet of any sewer, and providing a penalty for the violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person, firm or corporation shall cut ice from the Missouri, Floyd, or Big Sioux rivers, within the limits of the city of Sioux City, Iowa, below the outlet of any sanitary sewer, which ice is to be used for any purpose whatever within the city of Sioux City.

SEC. 2. Any person, firm or corporation violating section 1 of this ordinance, shall be liable to a fine of not to exceed one hundred dollars (\$100.00), or imprisonment in the county jail not to exceed thirty (30) days.

SEC. 3. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed January 12, 1909.

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### STORING OF GREEN HIDES.

AN ORDINANCE regulating the storage and keeping of green hides, and prohibiting the keeping or storing of trimmings within the city.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person, or persons, shall store or keep green or salted hides at any place within the limits of said city, until said person, or persons, shall have obtained a permit therefor from the board of health of said city.

SEC. 2. That said person, or persons, shall keep said hides only in cellars and vats, constructed for that purpose, the walls and floors of which shall be so cemented as to be water tight, and shall be so constructed as to be thoroughly drained into a sewer, and shall have ventilating flues reaching from said cellar to the roof of the building, and above said roof to a point higher than the walls or roof of any immediately adjoining building. Said places shall be kept supplied with water and hose, and shall be kept thoroughly washed and cleaned.

SEC. 3. No such permit shall be granted by said board of health until after an inspection of the premises in which said hides are to be kept, and ascertaining that the requirements of section 2 hereof have been complied with, and said board shall have power at all times to revoke said permit, whenever said requirements are not complied with, or whenever said hides shall be so kept, or stored, as to create a stench and become offensive; and shall have power to direct and require any alteration, or alterations, in or to said premises, necessary to render the same inoffensive.

SEC. 4. No trimmings, which word shall be construed to mean all fat, tallow, heads, feet, and such other matter as is generally

collected for rendering, shall remain within the city limits over twelve hours, from the first day of May to the first day of November.

SEC. 5. The keeping or storing of said hides, without first obtaining said permit, is hereby declared a nuisance, which may be abated, and the person keeping, or maintaining said nuisance, be punished therefor, as prescribed in the ordinance entitled: "An ordinance providing for the abatement of nuisances."

Passed June 9, 1882.

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### PIGGY SOWS.

AN ORDINANCE prohibiting the sale of piggy sows.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the sale of so-called piggy sows in the city of Sioux City, for the local consumption, is hereby prohibited.

SEC. 2. Any person who shall violate this ordinance shall, on conviction thereof, pay a fine of not less than twenty-five dollars and not more than one hundred dollars, and shall be imprisoned until said fine is paid, or for a period not to exceed thirty days.

SEC. 3. This ordinance shall take effect and be in force from and after its publication.

Passed December 7, 1893.

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### BURIAL OF THE DEAD.

AN ORDINANCE regulating and restricting the burial of the dead, and providing penalty for violation thereof, and especially repealing ordinances No. G6181, No. G1513 and No. F5000.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That hereafter no dead human body or bodies shall be buried within the limits of the city in any other place or locality than in the Floyd cemetery, the Floyd cemetery annex (original filing), Logan park cemetery, Mount Calvary cemetery, Mount Sinai cemetery, Hebrew cemetery, blocks 120, 121, 122, 123, 124, 125, 126, 169, 170, 171, 172, 173, 174, 175, 190, 192, 193, 194, 195, 196, 239, 240, 241, 242, 243, 244, and 245 in Floyd Cemetery Annex (second filing) and in a cemetery about to be formed, under the title of Graceland Park cemetery, to be located upon the west half of the

southwest quarter ( $W\frac{1}{2} SW\frac{1}{4}$ ) of section five (5), and the northeast quarter of the northeast quarter ( $NE\frac{1}{4} NE\frac{1}{4}$ ) of section seven (7), and all that part of the northwest quarter ( $NW\frac{1}{4}$ ) of section eight (8) lying west of the west line of the Lakeport road described as follows: Commencing at the northwest corner of said section eight (8), thence running south along the section line 20 chains, thence east and parallel with the south line of said section about 21 chains to the west side of the Lakeport road, thence north 7 degrees, 40 minutes, west along the west line of the said Lakeport road to the north line of said section eight (8), thence west about 19 chains to the place of beginning, all being in township eighty-eight (88), range forty-seven (47), west of the 5th P. M., without permission from the mayor and city council first obtained for the burial of such body or bodies.

SEC. 2. That ordinances No. G6181, No. G1513 and No. F5000, and all other ordinances inconsistent with this ordinance are hereby repealed.

SEC. 3. This ordinance shall take effect from and after its passage and publication as provided by law.

Passed May 7, 1909.

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### SCAVENGERS.

AN ORDINANCE empowering the city council to appoint the person or persons who shall perform the work of removing night soil and the bodies of dead animals, providing that none but the person or persons so appointed shall engage in such work; empowering the local board of health to make such reasonable rules and regulations respecting the removing of the same as it shall deem proper; providing that each scavenger so appointed shall pay a license fee, and providing a penalty for violation.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the city council of Sioux City, Iowa, be and the same is hereby directed and empowered to appoint such person or persons as it shall deem proper to perform the work of removing night soil and the bodies of dead animals, within the limits of said city and that the local board of health be and is hereby authorized to make all reasonable rules and regulations respecting the time and manner when said work shall be done, and the appliances to be used in doing said work.



SEC. 2. That each scavenger so appointed as aforesaid shall, before entering upon his work, pay into the office of the city treasurer the sum of five hundred dollars (\$500.00) per annum, and receive therefor from the city clerk a license, which license may be revoked and said appointment revoked and canceled by the city council for just cause. Said license fee shall be paid for any part of a year, in the full amount, and the license shall expire on the last day of March, following its date of issue.

SEC. 3. That no person or persons, firm or corporation, shall engage in said work unless receiving appointment from the said city council and paying the license fee herein provided for.

SEC. 4. That the amount to be charged owners of cesspools and privy vaults for removing contents of same shall not exceed the sum of fifteen (15) cents per cubic foot of such cesspool or vault; provided, that a charge of at least ten dollars (\$10.00) may be made for cleaning any such cesspool or vault.

SEC. 5. That any person or persons, firm or corporation, who shall engage in said work within the limits of Sioux City, Iowa, without having received an appointment from the city council and paid the license fee therefor, or who shall be found guilty of any violation of any of the conditions of this ordinance, shall, upon conviction thereof be fined in an amount not exceeding one hundred dollars (\$100.00), or imprisonment in the county jail not exceeding thirty (30) days.

SEC. 6. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are, to the extent of such conflict, hereby repealed.

SEC. 7. This ordinance being of immediate necessity and concerning the public health and safety, shall be in full force and effect from and after its passage and publication, as provided by law.

Passed May 21, 1910.

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### CITY PHYSICIAN.

AN ORDINANCE defining the qualifications and duties of the city physician of the city of Sioux City, Iowa.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the city physician appointed by virtue of code section 651 must be a citizen of the state of Iowa and resident and elector of the city of Sioux City, Iowa.

SEC. 2. He must be a lawful physician holding a certificate of authority to practice medicine from the Iowa state board of medical examiners.

SEC. 3. Said city physician shall be the adviser and counsel of the local board of health of the city of Sioux City, Iowa.

SEC. 4. When so directed by the local board of health of the city of Sioux City, Iowa, said city physician shall instruct the undertaker as to the proper preparation for burial of the body of any person dying from contagious disease.

SEC. 5. It shall be the duty of said city physician when directed by the mayor of the city of Sioux City, to investigate all suspected cases of contagious disease, and to make reports thereon to the mayor, and to the local board of health, provided such suspected cases of contagious disease are not attended by a physician.

SEC. 6. In suspected cases of contagious disease where the mayor has reason to doubt the diagnosis of the attending physician it shall be the duty of the city physician if so directed by the mayor to visit the case, after first giving notice to the attending physician, and make report thereon.

SEC. 7. It shall be the duty of the city physician to keep secret and confidential all matters coming under his care or supervision until authorized by the local board of health or by the mayor and the council of Sioux City to make such matters public.

SEC. 8. It shall be the duty of the city physician to advise with the mayor and city council upon all matters pertaining to the sanitary conditions of the city and to keep strictly confidential any and all matters coming under his supervision.

SEC. 9. The city physician appointed by virtue of code section 651 shall act as the confidential adviser of the mayor of the city of Sioux City in all matters pertaining to questions of health or sanitary affairs, and it shall also be his duty to give expert advice to the local board of health upon all matters coming under his supervision, and to maintain strictly confidential relation with the city council of Sioux City, the mayor of the city of Sioux City and the local board of health in so far as all matters pertaining to the discharge of the duties of his office are concerned.

SEC. 10. The city physician shall perform such other duties as are prescribed by law and the regulations of the state board of health.

SEC. 11. All ordinances and parts of ordinances in conflict herewith are repealed.

SEC. 12. This ordinance shall be in full force and take effect from and after its passage and publication as required by law.

Passed May 1, 1906.

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### RABID DOGS.

AN ORDINANCE to prevent danger from rabid dogs.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That it shall be the duty of the mayor, whenever, in his opinion, the danger to the public safety from rabid dogs is great and imminent, to publish a proclamation, ordering and requiring all persons owning, keeping or harboring any dog or bitch, to muzzle the same or to confine the same for not less than sixty days from the date of such proclamation, by good and sufficient means, to the house, stable, outhouse or yard wherein such persons may reside, and, upon the issuing of such proclamation by the mayor, it shall be the duty of all persons owning, keeping or harboring any dog or bitch during the term specified in such proclamation, to confine the same by good and sufficient means, within the yard, house, stable or outhouse, or have the same properly and securely muzzled, and in case any dog or bitch shall be found at large without being so muzzled, it shall be the duty of the marshal to cause the same to be killed forthwith, without further notice to the owner or keeper thereof; and any dog known to have been bitten by any dog, supposed to be rabid, shall be killed forthwith.

SEC. 2. No person shall keep, own or harbor any dog or bitch which is notoriously vicious or dangerous.

SEC. 3. Every dog or bitch which shall be found running at large, contrary to the provisions of any such proclamation, which is not securely and properly muzzled, shall be killed by the city marshal.

SEC. 4. Any person guilty of a violation of this ordinance, or who shall fail or neglect to comply with any of the provisions of the proclamation made by the mayor, shall upon conviction, pay a fine of not less than five dollars nor more than twenty-five dollars and costs of prosecution.

SEC. 5. That the ordinance passed July 22, 1881, in relation to rabid dogs, be, and the same is, hereby repealed.

Passed June 12, 1882.

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### **PENALTY FOR VIOLATION OF RULES AND REGULATIONS OF BOARD OF HEALTH.**

AN ORDINANCE providing penalty for wilful violation of any rule or regulation of the state or local board of health, or refusal or neglect to comply with any special order of the local board of health.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That any person who wilfully violates or fails to comply with any rule or regulation of the state or local board of health or who fails or neglects to comply with any special order of the local board of health in this city, within the time specified in such order, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars (\$100.00), or be imprisoned in the county jail for not to exceed thirty (30) days, or both such fine and imprisonment at the discretion of the court.

SEC. 2. This ordinance shall take effect and be in full force from and after its passage and publication, as by law provided.

Passed June 16, 1908.

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### **BOARD OF EXAMINING ENGINEERS.**

AN ORDINANCE providing for the examination and licensing of stationary engineers in charge of engines or boilers in the city of Sioux City, Iowa, and providing penalties for a violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. The mayor shall, by and with the consent of the city council, forthwith appoint a board of examining engineers consisting of three persons, who shall hold office until the first regular meeting of the city council in April, 1899, and until their successors in office shall be duly appointed and qualified.

SEC. 2. At the first regular meeting of the city council in April, 1899, and annually thereafter, or as soon after said date as practical, said mayor shall, by and with the consent of the city council,

appoint a board of examining engineers, one of whom shall hold office for one year, one for two years, and one for three years, and until their successors in office are duly appointed and qualified.

SEC. 3. All of the said board of examining engineers shall be stationary engineers of not less than five years' experience, and well qualified in the use and construction of boilers, generators and super heaters, and their appurtenances, used for generating steam for power, steaming or heating purposes.

SEC. 4. Each member of the board of examining engineers before entering upon their duties shall execute a bond to the city of Sioux City, in the penal sum of one thousand dollars (\$1,000.00) with two or more sufficient sureties to be approved by the city council, conditioned for the faithful performance of the duties of their office.

SEC. 5. It shall be the duty of the board of examining engineers to grant licenses of the first, second and third grade, to persons examined by them. The first class license qualifies the holder thereof to take charge of boilers of fifty-horse power or over; second class license qualifies the holder thereof to take charge of boilers of twenty-five-horse power or over, up to one hundred and twenty-five-horse-power; third class license qualifies the holder thereof to take charge of all boilers of less than twenty-five-horse power, twelve square feet of heating surface to constitute one-horse power. The certificates or permits so granted shall run for one year from the date thereof, at which time they shall be renewed.

SEC. 6. Said board of examining engineers shall grant no license, or issue any certificates of license or permits, to any person or persons, to take charge of any boiler or other apparatus used for the generating of steam, or subject to steam pressure, until they have satisfied themselves from satisfactory proof furnished by the applicant for such license or permit, that he is competent and a safe and proper person to take charge thereof, and for the purpose of determining this fact, they shall subject the applicant to such an examination in respect thereto as they may deem necessary before granting such certificate of license or permit. Said board of examining engineers shall also be satisfied by good and sufficient evidence that the applicant is competent, reliable and trustworthy and not addicted to the excessive use of intoxicating liquors before granting such certificate of license or permit.

SEC. 7. Should the board of examining engineers discover that the person in charge of any boiler or other apparatus used for the generation of steam is disregarding his or their instructions with reference to safety thereof, or if said person so in charge of said boiler or apparatus is neglecting any of his duties such that the safety of any person is endangered thereby, or if they shall be satisfied that the person so in charge of said apparatus is not competent, safe and reliable or is addicted to the excessive use of intoxicating liquors, it shall be the duty of the said board of examining engineers to revoke any certificate of license or permits they may have granted such person and at once report to the city council the reasons for revoking the same and thereafter such person shall take no further charge of said boilers or apparatus or any other boiler or apparatus without permission from said board of examining engineers.

SEC. 8. If the board of examining engineers or any member thereof, shall take or receive any money or other valuable consideration from any person for the purpose of deceiving or defrauding any person or for the purpose of violating any provisions of the preceding or following section in regard to engineers and steam boilers, or if the said board of examining engineers or any member thereof shall issue any certificates of license or permits to any person without having at the time stated thoroughly examined the person so granted a license or permit, he shall be fined in the penal sum of not more than one hundred dollars (\$100.00) and shall be removed from his office by the mayor and shall ever after be disqualified from holding the same.

SEC. 9. It shall be unlawful for any owner or owners, user or users of any steam boiler or boilers or steam generating apparatus to operate the same without an engineer holding a license from the board of examining engineers; provided the owners or users of steam boilers or engines of capacity of not over seventy-five (75) feet of heating surface with pressure of not over twenty-five (25) pounds to the square inch and all boilers not exceeding seventy-five (75) feet of heating surface under a pressure of fifteen (15) pounds to the square inch, used for heating only, may apply for and obtain a permit to employ a careful and trustworthy person instead of an engineer holding a license. Such person to be recommended by two citizens of said city, one of whom shall be an engineer holding a license from the board of engineers, which permit shall be granted

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by said board. The board of examining engineers shall have power to revoke such permit for cause, and in case the owner or user of any boiler shall from any cause be deprived of the services of an engineer holding a license he may put a careful and trustworthy person holding such permit in charge for a time not exceeding six days.

SEC. 10. When any boiler or engine requiring the services of an engineer holding a first class license is run day and night, the owner or user thereof may employ an engineer holding a second-class license not exceeding twelve hours at a time under the instructions of an engineer in charge holding a first class license.

SEC. 11. Every applicant for a license or permit must make application therefor on a blank furnished by the board of examining engineers, and every person granted a license or permit by said board is required to notify them when he accepts or leaves his employment and within ten days thereafter, the name of his employer and the location of the boilers in his charge. Any person who fails to give such notice may have his license or permit revoked by the board of examining engineers. Applications for renewals of licenses or permits shall be made not later than the third week next following their expiration and unless the above provision is complied with the board may order a new examination.

SEC. 12. In case of the failure of any applicant for a license to pass the examination he may within ten days after receiving notice of such failure make written application to the mayor of said city and also to the said board of examining engineers for a second examination, which shall be granted by said board within ten days after said application is thus made, and said applicant, upon said second examination shall be entitled to have all questions propounded by said board and all answers thereto made by him taken down by a stenographer and transcribed in writing, all at his own cost and expense, and upon failure by him to pass said second examination, he may within three days thereafter file a true verified copy of all said questions and answers so transcribed with the mayor of said city, who shall at once appoint a committee of three, two of whom shall be stationary engineers and not members of said board of examining engineers, for the examination of said applicant, all at the expense of such applicant and only upon the written questions and answers so filed with the mayor. And if said applicant pass said examination

before said committee he shall, upon order of the mayor, and after the payment by him of all charges and expenses therein made, be entitled to and receive from said board of examining engineers, a certificate of license of the grade as fixed by said committee and as herein provided. Every applicant for examination for a license who fails to pass the examination and who fails to apply for and pass a further examination within the time and as herein provided, shall wait such length of time as said board may direct, not exceeding six months and the board then shall give such applicant another examination.

SEC. 13. That wherever the words "license," "certificates," or "certificate of license" appear in this ordinance it shall be construed to mean a license issued by said board of examining engineers under the provisions of this ordinance, with the seal of the city thereto attached.

SEC. 14. It shall be unlawful for any person to take charge of or operate any boiler or boilers or steam generating apparatus without first obtaining a license or permit from the board of examining engineers and it shall be the duty of the city marshal and the members of the police force of the city to see that all the provisions of this ordinance are complied with.

SEC. 15. Every person holding a license or permit from the board of examining engineers shall keep the same posted in a conspicuous place in the engine room where he is employed.

SEC. 16. No person shall be granted a first class license until he furnish said board with satisfactory proof that he has had five years' experience at steam engineering. No person shall be granted a second class license until he furnish said board with satisfactory proof that he has had three years' experience at steam engineering. No person shall be granted a third class license until he furnish said board with satisfactory proof that he has had two years' experience at steam engineering.

SEC. 17. That said board of examining engineers or majority of said board shall issue all certificates of license, permits and renewals thereof and shall charge for all such certificates of license and renewals provided for in this ordinance and granted by them the following license fees, to-wit: For all grades of license the sum of three dollars (\$3.00), each, and for each annual written renewal



thereof the sum of one dollar (\$1.00), and all such certificates of license, permits and renewals shall bear the seal of the city.

SEC. 18. That the sole compensation of said board of examining engineers and the members thereof shall be the fees collected by them for the issuance of certificates of license and annual renewals thereof, to be equally divided among the members of said board and which said board shall keep a complete record of all such sums so paid.

SEC. 19. The city of Sioux City shall provide an office with all instruments, books, papers and material necessary for the proper performance of the duties of such board of examining engineers and said board shall hold regular meetings in said office at least twice each month on dates to be fixed by said board and the chairman or any two members of said board may call special meetings when necessary.

SEC. 20. The board of examining engineers shall keep a record of all licenses and permits granted, to whom granted, and the location of the boiler or apparatus in charge of the holder thereof.

SEC. 21. All persons now holding certificates, licenses or permits under the ordinance passed February 11, 1890, may run under the same until the expiration thereof, at which time they shall make application for a new license or permit, provided that if the said board of examining engineers shall be satisfied that the person so holding said certificate, license or permit is not competent, safe and reliable, or is addicted to the excessive use of intoxicating liquors, they may revoke said license or permit, as herein provided, and thereafter such person shall take no further charge of said boiler or apparatus or any other boiler or apparatus without permission from said board of examining engineers.

SEC. 22. The provisions of this ordinance shall not apply and shall not be construed to be applicable to boilers or steam generators of any kind used for heating private residences only, nor to any person or persons in charge of the same.

SEC. 23. Any person failing to comply with or who shall violate any of the terms, provisions and restrictions set forth in this ordinance, shall be fined in a sum not exceeding one hundred dollars (\$100.00) or imprisonment for the term of not exceeding thirty days.

SEC. 24. That this ordinance shall take effect and be in force from and after its passage and publication, as provided by law.

Passed November 26, 1898.

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## LICENSES.

### How to Be Issued.

AN ORDINANCE prescribing the manner in which licenses shall be issued.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. The city clerk shall issue all licenses provided for in the several ordinances of the city, upon being presented with a receipt from the city treasurer showing that the person, firm or corporation applying for a license has paid the amount of money fixed in said ordinances as the amount which shall entitle said person, firm or corporation to the license desired. Provided, that wherever a bond, or the permission of the city council, shall be necessary to the issuance of any license, the city clerk shall, before issuing said license, require such bond to be filed with him, or such permission to be obtained from the city council, by the applicant.

SEC. 2. Each license shall be signed by the mayor or in his absence by the superintendent of the department of accounts and finances, shall be countersigned by the city clerk and attested by the seal of the city.

SEC. 3. Each license shall be registered in a record for that purpose, as provided under the head of city clerk, in an ordinance defining the duties of city officers.

SEC. 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SEC. 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed February 4, 1911.

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## DESIGNATED VOCATIONS.

AN ORDINANCE regulating and licensing designated vocations and providing penalties for violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That any person engaged in any of the vocations

hereinafter named, within the corporate limits of the city of Sioux City, or who may hereafter engage in the same, shall pay the license fee therefor hereinafter prescribed, and be governed in the exercise thereof in accordance with the regulations therefor hereinafter prescribed and set forth.

SEC. 2. Except as hereinafter provided, all license fees herein provided to be paid, shall be paid in full in advance, and it shall be unlawful for any person or persons to engage in any of the vocations hereinafter enumerated without first paying the license fee and procuring a license therefor.

SEC. 3. Proprietors of rooms or places where pool or billiard tables, or bowling alleys, are kept and maintained for hire, shall pay a license fee of ten dollars per year for each table, or for each alley. Provided, that if the room or place shall be newly opened for business during the last six months of the fiscal year of said city, the proprietor shall pay a license fee of five dollars for any part of the remainder of said fiscal year for each table, or for each alley.

SEC. 4. The proprietor of each shooting gallery shall pay a license fee of ten dollars per month, or fifty dollars per year.

SEC. 5. The proprietor of each merry-go-round, circular swing, or roller coaster, shall pay a license fee of two dollars per day, or twenty-five dollars per month, or fifty dollars per year.

SEC. 6. The proprietor of each and every knife board or rack, cane rack, baby rack, bell rack, or ball throwing rack or device, shall pay a license fee of five dollars per day.

SEC. 7. The proprietor of each striking machine, or other athletic device, for the use of which a charge is made, shall pay a license fee of three dollars per day.

SEC. 8. The proprietor of each photo button machine, weighing chair or device, or weighing machine attended by the proprietor or other person, shall pay a license fee of one dollar per day.

SEC. 9. The proprietor of each weighing machine, or machine dispensing goods, wares or merchandise of any description, occupying or using any portion of any street, alley or public ground, or fixed above same, shall pay a license fee of one dollar per day, or five dollars per month, or ten dollars per year.

SEC. 10. Exhibitors, owners, lessees, or agents of any circus or menagerie, or wild west show, requiring ten railroad cars or less to transport the same, shall pay a license fee of fifty dollars for each

day's exhibition. Exhibitors, owners, lessees, or agents of any circus, menagerie, or wild west show, requiring more than ten and not more than thirty railroad cars to transport the same, shall pay a license fee of one hundred dollars for each day's exhibition. Exhibitors, owners, lessees or agents of any circus or menagerie, or wild west show requiring more than thirty railroad cars to transport the same, shall pay a license fee of two hundred dollars for each day's exhibition. Exhibitors, owners, lessees or agents of a circus or menagerie, or wild west show, exhibiting in tents, and charging not more than ten cents general admission fee, and not more than fifteen cents for reserved seats, shall pay a license fee of twenty dollars for each day's exhibition.

SEC. 11. Exhibitors of wild animals, snakes or other reptiles, other than a menagerie, shall pay a license fee of five dollars per day.

SEC. 12. Each owner, agent or manager of any museum, natural or artificial curiosities, paintings or works of art, not accompanied by a theatrical performance or entertainment, and charging an admission fee of more than ten cents, shall pay a license fee of two dollars per day; when an admission fee of ten cents or less is charged, the license fee thereof shall be one dollar per day.

SEC. 13. Proprietors of every stall or stand or place on, near to, or adjoining upon any sidewalk, street, alley or public place within the limits of said city, where popcorn and peanuts, or other goods, wares or merchandise are sold or exposed for sale, shall pay a license fee of twenty-five dollars per year, and no license shall be issued for a less sum for any portion of a year, all licenses expiring on March 31, following the date of their issue. The terms "stand" and "stall" shall for the purpose contemplated in this ordinance be construed to mean any and all places where any article is sold to persons while standing on any street, avenue, alley or public place outside the inclosure or place where such articles are stored or kept for sale. Licensed vendors of popcorn, peanuts and chewing gum shall sell, or offer for sale, nothing but these three articles and shall use wagons of approved manufacture for that purpose.

SEC. 14. Before any person shall establish any stand or stall for the sale of any article of merchandise of any nature whatever, he shall first obtain the consent of the person owning the lot or land upon or in front of which said stand or stall shall be located; also

the permission of the occupant of the property in front of which said stand or stall is located, and also the permission of the superintendent of streets and public improvements, which permission shall be in writing, and presented to the city clerk before a license to erect or maintain such stand or stall shall be granted. Any person obtaining a license to maintain a street stand shall post the same up in his place of business, so that the same can be easily seen from the street, and the license shall designate the point where permission is granted to erect said stand or stall, and the same shall be maintained in no place or location except that specified in said license.

SEC. 15. Hawkers or peddlers of agricultural products, meats, fish, fruit, goods, wares or merchandise of any kind except such as are hereinafter specified and mentioned, shall pay a license fee of thirty-five dollars per year and no license shall issue for a less amount than the license fee for one year.

SEC. 16. Peddlers of small household goods, or articles of ornament or necessity, other than fruit, meats, fish or agricultural products, shall pay a license fee of twenty-five dollars per year, or ten dollars per month, or one dollar per day. And all persons taking orders for such goods, either for present or future delivery, or sold on installments, shall be construed to be a peddler thereof.

SEC. 17. Itinerant peddlers of medicines, including those who may be engaged in selling the same from house to house, or upon the streets, or from any wagon or vehicle, shall pay a license fee of ten dollars per day.

SEC. 18. Nothing in this ordinance shall apply to persons selling and peddling meat, fruit or vegetables raised or grown by themselves, or fish caught by themselves; nor shall it be construed so as to interfere with wholesale or retail merchants using wagons in the delivery of goods sold at their places of business, or salesmen taking orders for goods to be delivered from stock in said city, in the ordinary course of trade.

SEC. 19. No person shall peddle on foot, or by conveyance of any kind, fruits, meat, fish, vegetables, wares or merchandise, upon Fourth street, or upon any street running north and south between Third and Fifth streets, from Water street east to Wall street.

SEC. 20. Transient merchants, or any person or persons temporarily engaged in selling or in any manner offering to sell, any agricultural products, fruits, goods, wares or merchandise of any kind

in the open air, or from or adjacent to any railroad car, or in any building, booth, tent, or other place within the city, in any manner not otherwise provided for in this ordinance, shall pay a license fee of three hundred dollars per year, or one hundred and seventy-five dollars for six months, or one hundred and twenty-five dollars for three months, or seventy-five dollars per month, or three dollars for each day.

SEC. 21. Any person engaged in or proposing to engage in any vocation in this ordinance mentioned, who shall engage therein without taking out license therefor, or failing to comply with, or violating any of the terms, provisions, conditions and restrictions set forth in this ordinance, shall be fined in a sum not exceeding one hundred dollars (\$100.00), or imprisonment in the county jail for any term not exceeding thirty (30) days.

SEC. 22. It shall be the duty of the city marshal and police force of the city to arrest all persons pursuing any of the vocations enumerated in this ordinance, without having first procured a license therefor as herein provided.

SEC. 23. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SEC. 24. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed February 4, 1911.

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## VEHICLES.

AN ORDINANCE licensing and regulating hacks, carriages, taxicabs, automobiles and other vehicles kept for hire.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. No person or persons shall hire out, or keep, or use for hire, upon the streets of the city of Sioux City, any vehicle, of any description whatever, either for the conveyance of passengers, or for the conveying or transportation of goods, wares, merchandise or other articles from place to place within said city, without a license so to do.

SEC. 2. Any person or persons, residents of the city of Sioux City, being over the age of twenty-one years, or any corporation duly created under the laws of the state of Iowa, may keep and use vehicles for hire upon the streets of said city, upon paying the license

fees therefor, hereinafter fixed, and upon complying with and observing all the provisions of this ordinance.

SEC. 3. It shall be the duty of the city clerk to furnish for each vehicle licensed, a plate or tag, giving the kind and registered number of such vehicle, and every owner of any licensed vehicle shall forthwith cause said plate to be fixed in a conspicuous place on the outside of such vehicle, and shall keep the same plain and distinct at all times when used, during the continuance of said license. But upon the expiration of said license such person shall immediately cause the said plate to be removed from said vehicle, and shall not allow said vehicle to be used with said plate thereon.

SEC. 4. Every vehicle for the conveyance of persons when driven or used for hire, or waiting or standing for hire, on any public street or place, in the night time, shall have fixed upon some conspicuous part of the outside thereof, a lighted lamp, with plain glass front and sides, with the number of the license fixed within each of said lamps, in distinct and legible letters at least one and one-half inches in length, and so placed that said numbers and lamps may be distinctly seen from the inside and outside of the vehicle. And every vehicle for the conveyance of passengers which has a door, or doors, to the same, shall have a knob or handle on the inside of such door or doors, by which said door or doors may be easily opened from the inside.

SEC. 5. All licenses granted under this ordinance shall designate the vehicles by their number and name. And the owner or owners, driver or drivers, shall be severally liable for each and every violation of this ordinance by such owner or owners, or their driver or drivers.

SEC. 6. Every driver of a licensed vehicle for conveying or transporting goods, wares, merchandise or other articles, shall, while, acting as driver of such vehicle, wear upon the front of his hat or cap, a silver or plated metal badge, four and one-half inches long and five-eighths of an inch wide, upon which shall be boldly cut or engraved, and filled with black, the word "express."

SEC. 7. If the owner of any vehicle who may have received a license as aforesaid, shall sell or dispose of such vehicle before the expiration of such license, such owner shall, within five days of the date of such sale or disposal, report the same to the city clerk,

and if the purchaser of said vehicle desires to operate such licensed vehicle, the city clerk may transfer the license to him.

SEC. 8. There shall be paid to the city treasurer for the use of the city, before issuing the said licenses to the parties applying for same, the following sums:

First. For all omnibuses and accommodation coaches running in connection with hotels, or between depots, shall be charged for license, each the sum of \$20.00 per annum.

Second. For all omnibuses and accommodation coaches running upon established lines, and at stated periods from place to place within the city, shall be charged for license, each the sum of \$20.00 per annum.

Third. For all hackney coaches, carriages and other vehicles drawn by two horses or other animals and occupying any public stand, or that shall run for the conveyance of passengers for hire or reward, within the city, shall be charged for license, each the sum of \$10.00 per annum.

Fourth. For all cabs or other vehicles, drawn by one horse or other animal, and occupying any public stand, or that shall run for the conveyance of passengers for hire or reward within the city, shall be charged for license, each the sum of \$6.00 per annum.

Fifth. For all baggage, express and furniture vehicles drawn by one horse or other animal, shall be charged for license, each the sum of \$2.00 per annum.

Sixth. For all baggage, express and furniture vehicles drawn by two horses or other animals, shall be charged for license, each the sum of \$4.00 per annum.

Seventh. For all wagons and other vehicles drawn by three or more animals, for the conveyance of any articles or things, for hire, from place to place within said city, shall be charged for license, each the sum of \$8.00 per annum.

Eighth. For all drays, carts, wagons and other vehicles running within the city, for hire or reward, and not otherwise expressly provided for, shall be charged for license, each the sum of \$4.00 per annum.

Ninth. All automobiles that shall be run for the conveyance of passengers for hire or reward within the city shall be charged for license, each the sum of \$10.00 per annum.



Tenth. All automobiles that shall operate within the city for the conveyance of baggage, goods, wares or merchandise, for hire or reward, shall be charged each for license, the sum of \$7.00 per annum.

Eleventh. Each driver of an automobile that shall be run for the conveyance of passengers, or for the conveyance of baggage, goods, wares or merchandise, for hire or reward, within the city, shall be charged for license, \$1.00 per annum.

Twelfth. For all street cars that may be run or operated on any street railway line in said city, there shall be charged for license, each the sum of \$25.00 per annum.

SEC. 9. Each license herein provided for shall bear the date of issue and the license shall be the same for any fractional part of a year as is charged for a license for a full year. No part of any license paid according to the requirements of this ordinance shall be remitted or refunded.

SEC. 10. The prices or rates of fare to be asked or demanded by the owners or drivers of vehicles drawn by horses or other animals, for the conveyance of passengers for hire or reward, shall be as follows:

First. For conveying one or more passengers, with hand baggage, not exceeding one mile, 25 cents each.

Second. Over one mile and not exceeding two miles, one passenger, 50 cents; each additional passenger, 25 cents.

Third. Over two miles and not exceeding three miles, one passenger, 75 cents; each additional passenger, 50 cents.

Fourth. Over three miles and not exceeding four miles, one passenger, \$1.00; each additional passenger, 75 cents.

Fifth. For conveying children between five and twelve years of age, half the above price may be charged for like distances; but for children under five years of age no charge shall be made.

Sixth. For the use of any such carriage or vehicle by the hour, with one or more passengers, with the privilege of going from place to place and stopping as often as may be required, as follows: for the first hour, \$1.50; for each additional hour, \$1.00.

Seventh. For the use of any cab or other vehicle drawn by one horse or other animal, by the hour, with the privilege of stopping when required: for the first hour, \$1.00; for each additional hour or part of an hour, 50 cents.

Eighth. For the use of any automobile by the hour, with the privilege of going from place to place, with one or more passengers, and stopping when required: For a five-passenger car, \$3.00 per hour; for a seven passenger car, \$4.00 per hour.

Ninth. For the use of any taxicab, meter rates may be charged, not to exceed as follows: For one or two passengers, one-half mile or less, 30 cents; for each one-fourth mile additional, 10 cents. For three or four passengers, one-third mile or less, 30 cents; for each one-sixth mile additional, 10 cents. While stopping during trip, at the request of passenger, there may be charged 10 cents for each six minutes so waiting.

SEC. 11. The prices or rates to be charged by the owner or driver of any public cart or other vehicle for the conveyance of goods, wares or merchandise, and for the loading and unloading of the same, shall be as follows:

First. For carrying loads, including trunks, not exceeding two hundred pounds in weight, within one mile, 25 cents; for each additional mile or fraction thereof, 25 cents.

Second. For loads not exceeding five hundred pounds, 50 cents; for each additional mile or fraction thereof, 25 cents.

Third. For loads exceeding five hundred pounds, the above rates and for every two hundred and fifty pounds additional, or fraction thereof, 25 cents.

Fourth. For handling and hauling household furniture, with two-horse trucks, \$1.00 per hour; for three-horse trucks or vans, \$1.50 per hour.

Fifth. For carrying a trunk upstairs or downstairs, not exceeding three flights of stairs, 10 cents extra may be charged.

SEC. 12. Any passenger in any vehicle for the conveyance of passengers for hire shall be allowed to have conveyed upon such vehicle, without extra charge, his ordinary traveling baggage, not exceeding in any case, twenty-five pounds of baggage. For every additional package, where the whole weight of the baggage is over one hundred pounds, if conveyed to any place within the city limits, the owner or driver shall be permitted to charge 15 cents. Whenever any package or article of baggage or goods of any kind shall be left in or on any licensed vehicle for the conveyance of passengers, goods or baggage, or when any such package or article shall be left in the custody of the driver of any such vehicle, such driver

shall, upon the discovery of such package or article, forthwith deliver the same to the central police station of said city, into the hands of the officer in charge of such station, unless such package or article shall be sooner delivered to the owner thereof, or the order of said owner.

SEC. 13. There shall be fixed in every vehicle for the conveyance of passengers for hire, in such manner that it can be conveniently read by any person riding in the same, a card, to be furnished by the city clerk, containing the name of the owner of said vehicle, the number of his license and the rates or prices which may be charged according to this ordinance, with the provisions as to baggage carried by the passenger. A similar card shall be carried by the driver of each vehicle, which card shall be shown, upon request, to any person desiring to employ such vehicle.

SEC. 14. Any disputes as to price or distance shall be settled by the chief of police or other officer of the police force.

SEC. 15. In all cases when the hiring of a vehicle for the conveyance of passengers is not at the time thereof specified to be by the hour, it shall be deemed to be by the mile. And for any detention exceeding fifteen minutes when so working by the mile, the owner or driver may demand at the rate of \$1.00 per hour, instead of the mile rate.

SEC. 16. The owner or driver of any vehicle for the conveyance of passengers shall not demand or be entitled to receive any pay for the conveyance of any passenger unless the number of the carriage and rates of prices be conspicuously fixed in and on said vehicle, as herein provided by Section 13 of this ordinance.

SEC. 17. The owner or driver of any such vehicle who may have demanded and received any fare in excess of what is provided for by this ordinance, shall return the excess received and shall be subject to the penalty provided for violation of any provision of this ordinance, and his license may be revoked in the discretion of the city council.

SEC. 18. No owner or driver of any vehicle licensed as aforesaid shall refuse to convey in said city any person, with or without baggage as aforesaid, when applied to for that purpose, or having undertaken to convey said person, shall omit to do so.

SEC. 19. All the provisions of this ordinance, except those requiring lamps, shall apply to sleighs, which shall come upon or use

the public streets, stands or other places in this ordinance designated for them, and to the owners and drivers thereof, to be used for the conveyance of passengers for hire in this city. And said owners and drivers of vehicles are hereby permitted to use sleighs, when feasible, in place of coaches or cabs.

SEC. 20. Every owner or driver of any licensed vehicle shall, upon being requested so to do, give any person or persons the number of his vehicle, the name of the owner and driver thereof and their place of abode and stable.

SEC. 21. Every cart, wagon, dray, automobile or other vehicle, which shall be kept, used or employed for the transportation or conveyance of goods, wares, merchandise or other articles from place to place within the city of Sioux City for hire, wages or pay for such transportation, shall be deemed a "public cart," within the meaning of this ordinance; and no person shall set up, or keep, or use, or employ any such public cart without first obtaining license therefor as hereinbefore provided.

SEC. 22. All persons licensed to keep public carts shall be deemed to be public cartmen within the meaning of this ordinance. And the city clerk may examine, under oath, all persons applying for or holding any such license, touching their qualifications as aforesaid, and all licenses other than to persons so qualified shall be void.

SEC. 23. The person to whom license is granted to keep and use a public cart shall, for all the purposes of this ordinance, be considered the owner thereof, and responsible for all articles intrusted to and liable equally with the driver thereof to all forfeitures, penalties and punishments herein contained or provided. No person under the age of sixteen years shall be permitted to act as driver of any licensed vehicle.

SEC. 24. If any accident or injury shall happen to any person, vehicle or other thing, by reason of coming in contact with any licensed vehicle, or the horse or horses attached thereto, or anything loaded thereon, while the same is moving, it shall be the duty of the person driving or having charge of the said licensed vehicle to immediately stop and, if necessary, render his assistance, and to give his name and residence, the number of the vehicle he was driving and the name and residence of the owner.

SEC. 25. Every public cartman shall be entitled to be paid the legal rate or compensation allowed and provided in this ordinance, immediately upon the carriage or transportation of any article or thing. It shall be lawful for any such public cartman to retain any article or thing so carted or transported by him, for which he is not so paid his cartage, and to convey the same without delay to the office of the chief of police, and he shall be entitled to the lawful rate or compensation for the so conveying.

SEC. 26. It shall not be lawful for any person to keep, drive or employ any cart or other vehicle with numbers or figures thereon similar to or resembling the numbers on public vehicles, or for any person licensed to keep public vehicles to place or have any number for which he may have received license on more than one vehicle, or to use more vehicles as public vehicles than he may have license for.

SEC. 27. It shall not be lawful for any public cartman, or any other person, to cart or transport through any of the streets of said city any planks, poles, spars, timber, or other thing exceeding thirty feet in length, except on a suitable truck or other vehicle. Such planks, or other thing, shall be placed lengthwise thereon, so as not to project at either end beyond the line of the side or width of such truck or other vehicle. All persons carting or transporting any poles, planks, spars, timber or other things, in any other manner, shall be deemed guilty of a violation of this ordinance.

SEC. 28. No person driving any licensed public cart shall refuse to convey, within the city, the baggage, goods, or merchandise of any person, unless actually engaged, when applied to for that purpose, or having undertaken to convey such baggage, goods or merchandise, or other thing, shall omit or neglect to do so.

SEC. 29. The owner or driver of any licensed vehicle for the conveyance of passengers, or any public cart, as aforesaid, shall not make any stand or stopping place, with or without his vehicle, while waiting for employment, at any place, on any street or public grounds adjacent to any railway depot, or steamboat landing or wharf, other than the place or places designated by the person having charge of such depot, landing or wharf, or by the city council. Nor shall any such owner or driver make such stand or stopping place, either within or without the limits fixed by the city council, within twenty feet of any street crossing.

SEC. 30. All owners or drivers of licensed vehicles taking their stands with the vehicles at such places designated by the proper authorities, as provided in the preceding section of this ordinance, shall have the right to stand on any vacant place within the limits of the places designated. No preference shall be shown between different vehicles of the same class as to the choice of positions within such limits; but different places may be designated for omnibuses, for other carriages for passengers, and for drays and baggage wagons, so as to keep each class of vehicles separate.

SEC. 31. It shall be unlawful for any owner or driver of any licensed vehicle to convey any person, without his request, to any place or house of ill-fame, or to deceive any person in relation to any railroad ticket, or other ticket or voucher for conveyance, which is worthless, or to make any false representation or statement in regard to any voucher or ticket for conveyance that may be shown to him.

SEC. 32. No owner or driver of any vehicle shall impose upon, or deceive any person in any manner or form, or strike, threaten, insult, or otherwise abuse or ill-treat any passenger, under any pretense whatever.

SEC. 33. No owner or driver of any licensed vehicle shall induce any one to employ him by either knowingly, wantonly or ignorantly misinforming or misleading such person, either as to the time or place of the arrival or departure of any railroad train, steamboat or other public conveyance whatever, or the location of any railroad depot, office, station, or any railroad ticket office, or the location of any hotel, office, public place or building, or private residence within the said city.

SEC. 34. It shall be unlawful for any such owner or driver of a licensed vehicle to induce any person to ride in, or employ his vehicle, by falsely representing his vehicle to such person as running for or being in the employment of a public house, or steamboat line, railroad or stage company, with a view to exact, solicit or obtain fare, or anything of value from such person for conveying him to such public house, or steamboat landing, railroad depot, ticket office, stage company office or other public place.

SEC. 35. It shall not be lawful for the driver, or other person having charge of a licensed vehicle, to be off or away from any such vehicle while the same is moving or passing along any of the

streets or avenues of said city. Nor shall it be lawful for any driver of any vehicle herein mentioned, while waiting for employment at any place assigned for his vehicle to stand waiting at any other place, or to snap or flourish his whip, or to be more than ten feet away from his vehicle, or to sit or stand about the doorsteps, or platform, or in front of any house, store or other building.

SEC. 36. Any person violating any of the provisions of this ordinance, or who shall neglect or fail to comply with any or either of the requirements thereof, shall, upon conviction, be fined not more than one hundred dollars (\$100.00), or imprisoned in the county jail not more than thirty (30) days.

SEC. 37. All ordinances or parts of ordinances in conflict with the provisions of this ordinance, are to the extent of such conflict, hereby repealed.

SEC. 38. This ordinance shall take effect and be in force from and after its passage and publication, as required by law.

Passed February 4, 1911.

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## AUCTIONEERS.

AN ORDINANCE licensing and regulating auctioneers, regulating the sale of goods at auction, and providing a penalty for violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That any person, firm or corporation engaged in selling goods, wares or merchandise of any description within the corporate limits of the city of Sioux City, or who may hereafter engage in the same, shall pay a license fee of fifty dollars per year, or ten dollars per month, or five dollars per day.

SEC. 2. Auctioneers of horses or other animals upon the streets or public places of the city shall pay a license fee of five dollars per day. Provided that this section shall not apply to sales of live stock by auction, in the buildings or inclosures of the Sioux City Stock Yards Company.

SEC. 3. Itinerant or traveling auctioneers engaged in selling at auction articles of any kind whatever, shall procure a license therefor, and for such license there shall be paid the sum of twenty-five dollars per month, or five dollars per day.

SEC. 4. No auctioneer shall sell, or offer to sell, in said city, any watch or watches, jewelry, or articles made or purporting to be made, of gold or silver, or other precious metals, unless the same shall be at least the fineness of fourteen karats, as known to the trade.

SEC. 5. Whenever any auctioneer shall sell any watches or jewelry, or other things made of metal resembling gold or silver, but which are not in fact so made, or if he shall offer for sale any article plated or washed with gold or silver, or other precious metal, said auctioneer at the time of offering the same for sale and before selling the same, shall state in a loud and distinct voice such that all persons in the room where the same is offered for sale can hear the same, the kind of metal of which such watch, jewelry, or other thing is made; or if the same is plated, said auctioneer shall loudly and distinctly proclaim that said article is plated, and with what metal said article is plated.

SEC. 6. No auction sale of articles forfeited for money due thereon shall be held in said city, unless in truth and in fact money shall have been loaned on said articles in the usual course of trade, by some pawnbroker doing business in said city, and said article shall have actually been forfeited for nonpayment of the money so loaned thereon, and no article shall be sold as a forfeited pledge unless the same shall have been duly reported to the chief of police, as by ordinance provided, and in no case until the same shall have been in the possession of said pawnbroker for a period of not less than six months prior to said sale.

SEC. 7. Any person, firm or corporation guilty of a violation of any of the provisions of this ordinance shall, upon conviction, be subject to a fine of not more than one hundred dollars (\$100.00), or by imprisonment in the county jail, not more than thirty (30) days.

SEC. 8. All ordinances or parts of ordinances relating to the licensing of auctioneers, or the sale of goods at auction, heretofore passed by the city council of said city are hereby repealed.

SEC. 9. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed February 4, 1911.



**BILL POSTING AND BILL POSTERS.**

AN ORDINANCE licensing bill posting and bill posters and regulating the same.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all persons engaged in posting and distributing bills and notices in the city of Sioux City shall be required to pay a yearly license fee of seventy-five dollars, provided that this ordinance shall not apply to the posting of legal notices.

SEC. 2. Any person who shall post any bills or notices without having paid the license fee therefor shall upon conviction thereof for each offense be fined not to exceed one hundred dollars.

SEC. 3. All bill boards now or hereafter to be erected shall be built and kept in such repair that the same shall at all times be safe and secure in wind storms, firmly braced in all directions.

SEC. 4. No filthy or obscene announcements or pictures shall be posted on any bill board.

SEC. 5. No person holding a license under this ordinance shall be allowed to charge any greater sum than four cents per sheet twenty-four by thirty-six inches in size.

SEC. 6. Should any bill board owned by any person become in any manner unsafe, the same shall be forthwith put in proper repair and condition by the owner thereof.

SEC. 7. Any person receiving a license under the provisions of this ordinance who shall fail to comply with the rules and restrictions herein imposed may be fined not to exceed one hundred dollars and a failure to so comply with the rules and regulations herein imposed shall at the discretion of the city council work a forfeiture of the license.

SEC. 8. All ordinances conflicting with the provisions of this ordinance are, to the extent of such conflict, repealed.

Passed April 9, 1889.

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**BILL POSTERS TO GIVE BOND.**

AN ORDINANCE to require bill posters to give bonds.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no license for bill posting shall hereafter be issued until the applicant therefor shall have executed a bond to the city of Sioux City, with two or more good and sufficient sure-

ties, resident of this city, in the penal sum of ten thousand dollars, conditioned that he will in all respects comply with the provisions and requirements of an ordinance of said city, entitled: "An ordinance licensing bill posting and bill posters, and regulating the same," passed April 9, 1889; and that he will save harmless and forever indemnify the city of Sioux City against any and all damages, costs and expenses which said city may suffer by reason of the erection and construction of bill boards in said city under the license so granted.

Passed May 27, 1890.

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### **SALE OF BANKRUPT STOCKS OF GOODS.**

AN ORDINANCE to regulate and license the sale of bankrupt or fire stocks of goods, wares or merchandise, to be advertised for sale, sold, or offered for sale, at auction or private sale, within the corporate limits of Sioux City.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. No person or persons, firm or corporation shall advertise for sale, sell or offer for sale, at auction or private sale, in the city of Sioux City, any bankrupt or fire stock, or stocks of goods, wares or merchandise, or any part of the same, either by themselves, their agent or commission merchant, without having first procured a license so to do. Provided, that the provisions of this section shall not interfere with the sales made by ministerial officers, executors, guardians, assignees of insolvent debtors or bankrupts, acting in their official capacity, or any other person required by law to sell personal property.

SEC. 2. Any person desiring to carry on the business of selling at auction or private sale, in the city of Sioux City, any bankrupt or fire stock of goods, wares, or merchandise, or any part of the same, or to advertise or offer the same for sale, shall first pay to the city treasurer the amount required as a license fee, as by this ordinance provided, and take the city treasurer's receipt therefor. Provided, no license shall be granted for a shorter period than ten days.

SEC. 3. The license fee provided for by this ordinance shall not be less than one dollar, nor more than one hundred dollars, for

each day that said business is carried on; the amount of such license, within said limits, to be fixed by the city council.

SEC. 4. Every such license shall specify the character of the goods, wares, or merchandise, to be sold, and the place where said business is to be carried on.

SEC. 5. The license obtained under this ordinance shall not authorize the holder thereof to act as auctioneer.

SEC. 6. Any person who shall violate any of the provisions of this ordinance shall be fined not less than twenty-five dollars, nor more than one hundred dollars, for each day or part thereof, that said business is carried on in violation of this ordinance, and shall stand committed until said fine is paid.

SEC. 7. All clerks, agents, or commission merchants, of whatsoever kind, engaged or employed in the sale, or offering for sale, in violation of this ordinance, any bankrupt or fire stock of goods, wares, or merchandise, or any part of the same, shall be charged and convicted in the same manner as principals may be, and shall be subject to the penalties herein provided.

SEC. 8. All ordinances or parts of ordinances conflicting with any provision of this ordinance are hereby repealed.

SEC. 9. This ordinance shall take effect and be in force from and after its publication.

Passed April 1, 1890.

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### LICENSING DOGS.

AN ORDINANCE licensing dogs and providing penalty for violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. Any person, or persons, owning or having charge of or harboring any dog or bitch above the age of eight weeks within the corporate limits of the city of Sioux City shall pay to the city poundmaster the annual license of one dollar for every dog and two dollars for every bitch, and to put upon the neck of every such dog or bitch a collar with metallic plate attached thereto upon which shall be legibly engraved or marked the year for which the license is paid and the number corresponding with the number of license receipt issued by the poundmaster. Said poundmaster at the time said license shall be paid shall furnish to the person or per-

sons paying the same the metallic plate and make a receipt to him or them for the amount of license so paid.

SEC. 2. Any person who shall allow any dog or bitch habitually to remain and be lodged or fed within his, her or their house, barn, store or inclosure, shall be considered as harboring the same within the meaning of this ordinance.

SEC. 3. Every dog or bitch found running at large which is not collared and marked as above provided shall be impounded by the poundmaster, marshal or other authorized officer of the city, and every bitch running at large, whether collared or not, while she is in heat, shall be also impounded.

SEC. 4. No person shall molest any dog, or bitch, which is not in heat, which may follow or be led by any person not a resident of this city while the same is with his or her owner or keeper, or near the wagon or effects of the same.

SEC. 5. The license collected by the poundmaster on dogs shall be paid over to the city treasurer and his receipt in duplicate taken therefor, one of which shall be filed in the office of the city auditor and the other retained by him.

SEC. 6. The city clerk is hereby directed, on or before the first day of April in each year to have prepared a sufficient number of metallic plates to be attached to dogs upon payment of said license. Said city clerk is also directed to have printed a sufficient number of license receipts for dog license paid, which said receipts shall, before the same are delivered to the poundmaster, be countersigned by said city clerk and shall have the impress of the city seal thereon and said city clerk shall deliver to said poundmaster an equal number of said metallic plates and of said receipts, and said poundmaster shall stand charged with the amount represented by said metallic plates and receipts, to be discharged therefrom when the money collected and represented by said plates and receipts shall have been paid into the city treasury, which payment shall be made on or before the first day of October and the first day of April in each year.

SEC. 7. License on dogs shall be due on and after April 1st of each year.

SEC. 8. Any person, or persons, failing to comply with or violating any of the terms, provisions and restrictions set forth in this

ordinance shall be fined in a sum not to exceed one hundred dollars (\$100.00) or imprisonment for a term not exceeding thirty days.

SEC. 9. That the certain ordinance entitled an ordinance for taxing dogs passed by the city council June 4th, 1889, and approved June 9, 1889, together with all amendments thereto, be and the same is hereby repealed, and all other ordinances and parts of ordinances in any manner conflicting with this ordinance are, to the extent of such conflict, hereby repealed.

Passed May 3, 1898.

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### EMPLOYMENT AGENCIES.

AN ORDINANCE to regulate and license and control all keepers of intelligence or employment offices, bureaus and agencies, as well as all persons seeking employment for others, or procuring or furnishing employes or employers for others, or another, or giving information whereby employes or employers may be obtained.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. Any person, firm or corporation who shall open or keep an office or place, or who shall solicit without such office or place, within the city of Sioux City, Iowa, for the purpose of obtaining employment for others or procuring or furnishing employes or employers for others, or another, or giving information whereby employes or employers may be obtained, shall be deemed to be the keeper of an employment office.

SEC. 2. No person, firm or corporation shall engage in the business of keeping an employment office, as herein defined, for the purpose of hiring either male or female help, to do work for others, or to do the business of seeking employment for others, or procuring or furnishing employes or employers for others or another, or giving information whereby employes or employers may be obtained, without first having obtained a license, as hereinafter provided.

SEC. 3. Every applicant desiring a license under this ordinance must file with the city clerk an application in writing, designating the place where such business is to be conducted and carried on, together with the name of the firm under which the business is to be operated and the name of the applicant signed thereto, together with an affidavit as to the length of time such applicant has maintained his residence in Sioux City, Iowa, sixty (60) days being re-

quired, which application and affidavit shall be by the city clerk referred to the city council at its first regular meeting thereafter, and the city council shall, at such meeting or some subsequent meeting, act upon such application, and, if accepted, authorize the issuance of the license thereunder, no license to be issued unless authorized by the city council as aforesaid.

SEC. 4. Any person, firm or corporation desiring to engage in the aforesaid employment business must apply to the city treasurer for such license, and upon paying into the city treasury the sum of fifty dollars (\$50.00), and upon executing and delivering to said city council a bond of one thousand dollars (\$1,000.00) with sufficient surety, to be approved by the said city council, he may be entitled to such license, provided the applicant shall have established an actual residence in the said city for a period of not less than sixty (60) days prior to the date of such application for such license.

SEC. 5. The bond shall run to the city of Sioux City, Iowa, and shall be conditioned for the payment of any damages which any person secured or engaged to labor for others by the obliger, may sustain by reason of any unauthorized act or fraud on the part of such employment office, for such hiring. The bond shall be filed with the city clerk, if approved by the city council.

SEC. 6. Any person hired or engaged to work for others by one so licensed as aforesaid, who shall fail to get employment, and having complied with the terms stated in such contract of hire or engagement, by reason of any unauthorized act or fraud on the part of the agent, may bring an action upon said bond, and may recover in such action against the principals and sureties the full amount of his damages sustained by reason of such unauthorized act or fraud.

SEC. 7. Any license issued under the provisions of this ordinance may be revoked by resolution of the city council at any time after the issuance of the same, when in their opinion such licensee is not properly conducting the business for which he was so licensed.

SEC. 8. This ordinance is not intended, nor shall it be construed, as to restrict or hinder the police matron, or her official staff, of said city, or the Humane society, the Y. M. C. A., the Y. W. C. A., church societies, or other societies, in seeking employment for the poor, provided that the said assistance is given and rendered free of charge, without fee or consideration for such services.

SEC. 9. Any person, firm or corporation violating any of the provisions of this ordinance, shall, upon conviction thereof, be punished by a fine not less than fifty dollars (\$50.00), or more than one hundred dollars (\$100.00), and in default of the payment of such fine, shall be committed to the county jail, not less than ten (10) days or more than thirty (30) days.

SEC. 10. All licenses issued under this ordinance, after April 1, 1908, shall be for the period of one year, and no license shall be issued for a shorter period of time.

SEC. 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEC. 12. This ordinance shall be in full force and effect from and after its passage and publication, as provided by law.

Passed January 14, 1908.

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### MILK AND CREAM DEALERS.

AN ORDINANCE regulating the sale and distribution of milk and cream within the city of Sioux City, Iowa, providing for the license of dealers of the same and providing for a penalty for the violation of this ordinance.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. No person or persons, firm or corporation shall sell, offer for sale, expose for sale or keep for sale, in the city of Sioux City, any milk or cream without first obtaining a license as by this section provided.

Every person, firm or corporation producing milk or cream for sale and selling the same in the city of Sioux City, and every person, firm or corporation selling or offering for sale, or keeping for sale, any milk or cream from any milk depot, store or other establishment or place of business in the city of Sioux City, and every person selling or delivering milk from any wagon or other vehicle within the city of Sioux City shall pay a license fee of ten (\$10.00) dollars per year.

Provided, That when more than one wagon or other vehicle is used by any person, firm or corporation in the delivery of milk or cream in the city of Sioux City, an additional license fee of three (\$3.00) dollars per year shall be paid for each additional wagon, and,

Provided, further, that any person owning less than five cows and more than two and delivering milk by hand or from his or her residence shall pay a license fee of two dollars (\$2.00) for each cow, and any person selling milk from any store or any place of business and selling less than ten (10) gallons per day shall pay a license fee of three dollars (\$3.00), and provided further that any person keeping only two cows or less and selling milk therefrom, shall not be required to take out a license, and shall be exempt from the provisions of this ordinance, except in cases where the city milk inspector may deem advisable, he may apply the tuberculin test.

No license shall be issued for less period than six months, and all licenses shall expire April 1st or October 1st of each year.

Before the issuance of the license every vendor of milk or cream shall make a written application therefor on a printed form provided for that purpose, which shall be filed with the city clerk, on which shall be stated:

First. The name and residence of the applicant, or if a firm, the name and residence of each of the members of said firm, or if a corporation, the name and residence of the president and secretary of said corporation.

Second. The location of the business place or places of the applicant, giving street and number, and the name and residence of the person in charge of each.

Third. A description of each and every wagon, or other vehicle used in the delivery of milk or cream, and the number used to designate each.

Fourth. The location of the dairy or source of supply.

Fifth. The number of cows, if any, owned or controlled by the applicant.

If said application is allowed by the city milk inspector, a certificate to that effect shall be given to the applicant. The city clerk, on delivery to him of such certificate from the city milk inspector, and payment to him of the license fee herein provided for, shall deliver to said applicant a license as herein provided.

If, after the issuance of the license, any change be made in the firm, officers, managers, superintendents, location, wagons or other vehicles, personal notice thereof must be given to the city milk inspector for insertion and correction in the records of the department,



and such changes shall be noted in writing by the city clerk on the license.

**SEC. 2. RULE 1.** Every vendor of milk or cream shall present to, and file with, the city clerk a written application from each driver or employe employed by him for the purpose of carrying or delivering milk or cream, for a certificate to be issued to each driver or employe, which application shall state the name, age and residence of such employe, the name and place of business of the party or parties by whom he is employed, and the number used to designate the wagon or other vehicle, if any, to be driven by him. Upon the filing of such application, if a license shall have been issued to the vendor, there shall be issued to the driver or employe by the city clerk, a certificate, which certificate shall state the name and residence of such driver or employe, the name and place of business of the employer and the number of the wagon or other vehicle, if any, which he is authorized to drive. All certificates shall run for the same period of time as the license under which such certificates are issued. Such certificate shall be carried by said driver or employe at all times when vending, carrying and delivering milk or cream, and shall be produced and exhibited upon a demand made therefor. No person shall be employed in carrying or delivering milk or cream without a certificate therefor, as above provided.

**RULE 2.** No license or certificate shall be sold, assigned, loaned or transferred, or be placed in the care, custody, control or possession of another not entitled thereto.

**RULE 3.** All wagons or other vehicles used for the delivery of milk or cream within the city of Sioux City, shall have a tin plate firmly attached to each outside of said wagon or vehicle in a conspicuous place, on which shall be painted the number of the license of the owner of said wagon or vehicle, said number to be printed thereon plainly and legibly, said tin plate and number to be furnished by the city clerk free of charge at the time of obtaining the license.

**SEC. 3. RULE 1.** Whenever the city milk inspector shall find a cow, whose milk is sold or brought into the city of Sioux City, afflicted with tuberculosis or one that from its physical condition, he has reason to believe or to suspect has tuberculosis, he shall order the tuberculin test to be made at once on all cows and bulls on the premises, said test to be made by a veterinarian who has been legally authorized to practice his profession in the state of Iowa.

RULE 2. The veterinarian making the test shall deliver his report in writing as soon as the test has been completed, to the city milk inspector of the city of Sioux City, and report to be the original chart of test and signed by the veterinarian making the test, and it shall be unlawful after five days from said notice by the city milk inspector, for any person, firm or corporation, to sell, offer for sale or bring into the city limits of the city of Sioux City any milk drawn from cows to which the city milk inspector has ordered the tuberculin test applied except milk from those cows that said test shows are free from tuberculosis.

RULE 3. All cows having been so tested by the tuberculin test and found to have tuberculosis shall be disposed of, and the city milk inspector notified in writing by the owner or person in charge of the same, of the place and manner of such disposal, and under no circumstances shall the milk of such cows be sold, offered for sale or brought within the corporate limits of the city of Sioux City and upon failure to dispose of such cow or cows so afflicted, the city clerk shall at once suspend the license of the owner of such cow or cows, and no milk from any cow kept upon the premises with any cow having tuberculosis shall be sold, offered for sale or brought into the city of Sioux City.

RULE 4. All cows having had the tuberculin test applied shall be tagged in such a manner that the tag shall be permanent, giving the date and result of the test made.

SEC. 4. RULE 1. No milk or cream shall be sold, offered for sale, or kept in the city of Sioux City which is produced from sick or diseased cows, or from cows kept in an unclean, filthy or unwholesome condition or from cows fed upon any substance in a state of fermentation or putrefication, or on any unwholesome food or impure water. The inspector shall condemn and destroy any impure food found which is kept for the purpose of feeding to cows.

RULE 2. It shall be unlawful for any person, firm or corporation to allow cows to be housed or stabled in buildings containing less than 700 cubic feet of air for each cow contained therein.

RULE 3. It is hereby declared unlawful for any person to pour milk or cream intended for sale from one can, bottle or receptacle into another can, bottle or receptacle, on any of the streets, or in any wagon, or in any exposed place in the city of Sioux City, except

in a creamery, milk depot or on the enclosed premises of a customer of the dealer in milk.

RULE 4. Every person, firm or corporation, milk man or vendor of milk or cream going from house to house or one place to another selling or offering for sale, milk or cream, shall be deemed to have all of such milk or cream in his or its possession for the purpose of sale, and all the milk or cream in his or its possession shall be subject to the rules and regulations of this ordinance.

RULE 5. It shall be unlawful for any person to have on hand for sale or offer for sale, any milk, cream or buttermilk within the city of Sioux City in any cans belonging to and marked with the initials or name of another person or corporation without the consent of the aforesaid person or corporation. All cans used in the distribution of milk shall have the initials or name of the owner of such cans upon the neck, breast or handle of the same.

RULE 6. The collection of milk vessels, milk cans or any other containers used in the delivery of milk from houses in which are located cases of any of the following diseases, is forbidden, namely, smallpox, scarlet fever, typhoid fever, typhus fever, diphtheria, measles, bubonic plague, yellow fever, cholera, leprosy, glanders, anthrax, cerebro-spinal meningitis. Such vessels must be left at the house until they have been disinfected under the supervision of the city health physician. They can then be collected by the owner. Both the householder and milk dealer shall be held responsible for any violation of this regulation.

RULE 7. No milk shall be sold or exposed for sale from any wagon or other conveyance, unless it has painted thereon on both sides thereof, in a conspicuous place and in legible Roman letters not less than five inches in height, the name of the milk vendor and the tin plate giving the number of the license; and if such vendor or dealer sells skim-milk, the word "skim-milk" shall be painted on said wagon in such a manner as aforesaid, and all cans or receptacles on wagons containing such skim-milk shall be labeled or have printed or painted thereon the word "skim-milk" in plain view of customers and in plain letters not less than two (2) inches in height.

RULE 8. It shall be unlawful for any person, firm or corporation to allow cows, the milk of which is to be sold, offered for sale, or brought into the corporate limits of the city of Sioux City, to drink water from stagnant ponds or pools, or from inlets, moats, or

pools of water where manure, dead animals, decayed vegetation, or other similar substances are dumped or deposited, which may in any way affect or contaminate the water. Any person, firm or corporation permitting or allowing cows to partake of water in the above condition, after due notice from the city milk inspector to discontinue the same, the city milk inspector shall be empowered, by himself or agent, to confiscate and destroy all such milk wherever found in the city of Sioux City, Iowa.

RULE 9. Any person, firm or corporation having milk in his or its possession and offering the same for sale, the temperature of which is higher than 55 degrees, Fr., the milk inspector may seize and destroy such milk or add aniline to it to change its color so as to make it unfit for sale.

RULE 10. No milk shall be sold, offered for sale or kept for sale within the city of Sioux City, from which the cream or any part thereof shall have been taken, unless the can or vessel containing such milk shall be conspicuously marked with the words "skim milk" in plain letters not less than two (2) inches in height.

RULE 11. All milk tickets when delivered to customers must be clean and new. It shall be unlawful for any milk man, dealer or vendor of milk or cream to use milk tickets more than once, but as taken up they must be destroyed, unless the tickets are metallic, in which case they shall not be used or re-sold until thoroughly disinfected.

RULE 12. The addition to milk or cream of a preservative or coloring matter such as formaline, formaldehyde, salicylic or boracic acid, sodium, annato, etc., or any other substance is hereby forbidden and declared unlawful.

RULE 13. All milk wagons, ice chests, or ice containers therein must be kept at all times clean and free from all odor, and it is hereby declared unlawful for any garbage or refuse of any form or kind to be allowed on any milk wagon.

RULE 14. It shall be the duty of the city milk inspector to see that the provisions of this ordinance are enforced.

SEC. 5. RULE 1. No person having an infectious or contagious disease, such as whooping cough, cholera, smallpox, typhoid fever, typhus fever, diphtheria, scarlet fever, or consumption (phthisis pulmonarious), or having recently been in contact with such persons, shall milk cows or handle cans, bottles, dippers, measures, or other

vessels used for milk or cream intended for sale, unless all danger of communicating such disease to other persons shall have passed and the person so contaminated shall have been adjudged by the city health physician to be free from communicating any such disease.

RULE 2. No milk or cream shall be sold or dispensed for use as food from any house, store, shop, dairy, or other place, in which there is a case of contagious or infectious disease as aforesaid, until all danger of contagion thereof has been removed, and permission in writing is obtained from the city health physician, authorizing the sale of milk or cream in said house, shop, or from said dairy or other place.

RULE 3. Whenever a case of infectious disease as aforesaid, is found in any building or place, from which milk or cream is sold, or disposed of for food or from any wagon or conveyance of any kind, distributing milk or cream therefrom for food, the milk inspector shall forthwith seize and destroy all of said milk or cream found upon said premises, or wagon, and it shall be unlawful for any person or persons, firm or corporation, to sell or dispose of any milk or cream from said premises or wagon, or in any manner whatsoever, until all danger of contagion from said diseases or either of them, has been removed and permission in writing is obtained from the city health physician, authorizing the sale of milk or cream from said place of business or wagon.

RULE 4. Any milk man or dairyman being afflicted, or any member of whose family is afflicted, or whose hired help or any of their family is or may be afflicted with a contagious or infectious disease, such as typhoid fever, typhus fever, diphtheria, scarlet fever, measles, chicken pox, small pox, cerebro-spinal meningitis, or any other infectious or contagious disease, shall report the same to the city health physician and city milk inspector within 24 hours after he knows or has reason to suspect such contagious or infectious disease, and said city health physician shall take such action as he deems best and necessary for the prevention of the spread of said contagious or infectious disease or diseases by said milkman, dairyman, his family, hired help or their family.

RULE 5. The milk inspector may at any time, inspect milch cows, wagons, cans and other receptacles used for milk, stables and yards owned or used by any person, firm or corporation producing milk for sale, or selling the same in the city of Sioux City, and may

require samples of not less than four ounces or more than one pint to be delivered to him for analysis from vessels or cans containing such milk, such analysis or test to be made with such instruments, chemical or other articles, and to such extent as by said city milk inspector may be deemed necessary. Any person or persons, firm or corporation, or any agent or employe thereof who shall refuse to allow such inspection shall be deemed guilty of a misdemeanor. Any person or persons, firm or corporation engaged in the production and sale of milk shall report immediately to the city milk inspector any case of sickness of cows in his or their possession, and any case of sickness of over three days' duration in his or their family, or upon his or their premises, or among their employees, and the name of the physician attending the same.

SEC. 6. No milk which is watered, adulterated, reduced or changed in any respect by the addition of water or other substances, or by the removal of cream, or milk which has been drawn from the cows suffering from tuberculosis or any other contagious disease, or any other sickness, shall be brought into the city of Sioux City, or held, kept, sold or offered for sale at any place in said city, nor shall any person, persons, firm or corporation keep, sell, or offer for sale any such milk in said city of Sioux City.

The words "adulterated milk and cream" as used in this ordinance mean:

1st. Milk containing less than eighty-eight per centum of water or fluids.

2nd. Milk containing less than twelve per centum of milk solids.

3rd. Milk drawn from animals within fifteen days before or seven days after parturition.

4th. Milk drawn from animals fed on any substance in a state of fermentation, putrification or on any unwholesome food.

5th. Milk drawn from cows kept in a crowded or unhealthy condition or from cows suffering from tuberculosis or any other contagious disease.

6th. Milk from which any part of the cream has been removed.

7th. Milk which has been adulterated with water or any fluid, or skim-milk, or to which has been added any foreign substance whatsoever.

8th. Milk containing less than 3 per centum of butter fat.

9th. Cream to which any foreign substance whatever has been added, and containing less than 15 per cent butter fat. (The term "cream" means the fatty portion of pure milk, which rises to the surface when milk is left at rest or which is separated by other means.)

10th. Milk containing more than 150,000 bacteria per cubic centimeter.

Nothing in the above rules shall be so construed as to prohibit the sale of sour milk, or what is known as buttermilk, provided the same is sold as such, and is produced from pure and wholesome milk.

SEC. 7. Whenever the city clerk shall suspend a license or withdraw a certificate provided for herein, it shall be his duty to notify the party or parties affected by said suspension, to appear before the city council at a regular meeting of the council, to show cause why the license or certificate suspended should not be revoked. The notice provided for herein shall be in writing and served upon the parties affected by said suspension at least three days before such council meeting. If the council shall approve such suspension or withdrawal it may by resolution revoke such license. If the city council shall fail to approve such suspension or withdrawal and shall determine so by resolution, it shall be the duty of the city clerk to reinstate said license.

SEC. 8. Any person, firm or corporation found guilty twice of violating any part of this ordinance, the second conviction occurring within twelve months following the first conviction, the city clerk shall have power to suspend the license of said person, firm or corporation so found guilty of the second offense.

SEC. 9. Any person, firm or corporation selling milk within the limits of Sioux City, Iowa, shall be subject to all of the rules and regulations, and provisions contained in this ordinance.

SEC. 10. Any person, firm or corporation found guilty of the violation of any part or any section, number or rule of this ordinance shall, for the first offense, be fined not less than ten (\$10) dollars, nor more than one hundred (\$100) dollars, or imprisonment in the county jail not less than three days or more than fifteen days, or both such fine and imprisonment; for the second offense, not less than twenty-five (\$25) dollars, or more than one hundred (\$100) dollars, or imprisonment in the county jail not less than fifteen days

or more than thirty days, or both such fine and imprisonment; and for the third offense not less than fifty (\$50) dollars or more than one hundred (\$100) dollars, or imprisonment in the county jail for a period of thirty days, or both such fine and imprisonment.

In the conviction, under this ordinance such requires to carry with it the cost to the guilty party, and the same shall be added to the penalties herein provided.

SEC. 12. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed December 22, 1909.

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### **LICENSING AND REGULATING PAWNBROKERS.**

AN ORDINANCE regulating, licensing and taxing pawnbrokers and other pledgees of personal property, requiring pawnbrokers to keep records and make reports and providing penalty for violation hereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all pawnbrokers and persons receiving actual possession of personal property as security for loans with or without a mortgage or bill of sale thereon, within the corporate limits of the city of Sioux City, or who may hereafter engage in the same, shall pay the tax or license fees hereinafter prescribed and be governed in accordance with the regulations therefor hereinafter prescribed and set forth.

SEC. 2. Every pawnbroker or other person mentioned in the preceding section shall pay each year a license fee or tax of one hundred dollars (\$100.00) per year, or fifty dollars (\$50.00) if the license is issued during the last six months of the fiscal year of the city, said license fee or tax to be paid in full in advance, and it shall be unlawful for any person or persons to engage in said vocation or vocations without first paying the license fee and procuring a license therefor, as herein provided.

SEC. 3. Before any license shall issue to any pawnbroker or other person engaging in the vocation or vocations hereinbefore described, the applicant therefor shall file a bond with the city clerk, with two or more good and sufficient sureties, freeholders of said city, or other sufficient and legal bond under the laws of the state, in the penal sum of two thousand dollars, conditioned that



he or they will comply with all the conditions and regulations in this ordinance contained, and that he will pay all fines, costs, or penalties imposed for his failure so to do; also all damages any person may sustain by reason of his taking in pledge or purchasing any stolen property, and if said stolen property be sold by him so that the same cannot be returned to the owner thereof, then that he will pay said owner the value thereof; or if the same still remains in his possession, that he will deliver the same to the owner thereof, together with all costs and charges sustained by him in recovering possession thereof.

SEC. 4. Before any license shall issue as herein required, the applicant shall pay the amount required as a license fee, as by this ordinance provided, into the city treasury, taking the treasurer's receipt therefor, and upon presentation of the said receipt to the city clerk, together with the bond herein required, duly approved by the mayor, said clerk shall issue said license, but no license shall issue or extend beyond the close of the fiscal year in which the same is issued.

SEC. 5. Every pawnbroker shall keep a book in which he shall accurately and intelligently enter, in ink, in the English language, at the time of purchasing or receiving any personal property:

First. The name of the person from whom the property was purchased or received, and his place of residence.

Second. A particular, detailed and accurate description of each article.

Third. The estimated value of each article.

Fourth. The amount paid, advanced or loaned.

Fifth. The date and hour of transaction.

Sixth. The time when the article is to be redeemed or bought back.

Seventh. What, if any, mortgage or bill of sale was taken, or receipt or pawn ticket was given.

Eighth. When, and by whom, said article was bought back or redeemed.

Ninth. When, to whom, and how said article was disposed of, if not redeemed.

His license and said book shall, at all times, be open to examination by any sheriff, deputy sheriff, marshal, police officer or constable.

SEC. 6. Every pawnbroker shall, before twelve o'clock midnight each day, deliver to the city marshal a report, which shall be legibly written and a correct copy of all entries made since the last copy delivered was made in said book or record required to be kept.

SEC. 7. Any person engaged or proposing to engage in any vocation in this ordinance mentioned, who shall engage therein without taking out license and failing to comply with, or violating any of the terms, provisions and restrictions set forth in this ordinance; any person who shall fail to keep the book or record required, or fail to make the required entries therein, or shall intentionally or knowingly make any false or unintelligible entry, or any entry which he has reason to believe is untrue, or who shall fail to make the inquiries necessary to enable him to make said entries or any of them, or who shall fail to produce his license or said book when requested to do so by any officer having authority to examine it, or who shall destroy or negligently permit such book to be destroyed or lost; any person failing to make the report required and deliver same to the city marshal, or intentionally omitting therefrom any article purchased or received, or making therein any false or intentionally misleading statement, shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail not more than thirty (30) days.

SEC. 8. All ordinances or parts of ordinances in any manner conflicting with this ordinance are, to the extent of such conflict, hereby repealed.

SEC. 9. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed February 4, 1911.

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### **PROHIBITING PURCHASE OF PROPERTY FROM MINORS BY PAWNBROKERS, ETC.**

AN ORDINANCE prohibiting junk and second hand dealers and pawnbrokers from purchasing or receiving any property from minors without the written consent of their parents or guardians.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person, firm or corporation engaged in the business of handling junk, or engaged in the business commonly

known as second-hand dealer, or pawnbroker, shall from and after the passage of this ordinance purchase or receive from minors, directly or indirectly, any property of any kind or nature without the written consent of the parents or guardians offering to sell or dispose of such property.

SEC. 2. Be it further ordained that any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be subject to a fine of not more than one hundred dollars (\$100.00) for each offense, or imprisonment in the county jail not exceeding thirty (30) days.

SEC. 3. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby, to the extent of such conflict, repealed.

SEC. 4. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed March 26, 1907.

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### SKATING RINKS.

AN ORDINANCE to regulate and license skating rinks, and providing penalties for violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person, firm or corporation shall, from and after the passage of this ordinance, be engaged in the business of operating or conducting a skating rink, within the limits of the city of Sioux City, Iowa, unless he shall have first secured a license therefor.

SEC. 2. Any person, firm or corporation desiring a license for the purpose of conducting or operating a skating rink, shall first make written application therefor to the city council of the city of Sioux City, and no license shall be granted except by a majority vote of the entire council, and no person shall be entitled to receive a license unless the city council is satisfied that the applicant therefor is a person of good moral character, and will conduct his skating rink in a decent and orderly manner.

SEC. 3. If the city council, by a majority vote, shall decide to grant a license to the applicant therefor, it shall instruct the city clerk to issue such license after the conditions hereinafter set forth have been complied with upon the part of the applicant.

SEC. 4. All licenses granted under and by virtue of the provisions of this ordinance shall be subject to revocation at the will of the council, provided, however, that no license shall be revoked except by a majority vote of the entire council.

SEC. 5. No license shall, under any circumstances, be issued to any person, firm or corporation unless the application therefor defines the location of the proposed skating rink and no license shall be granted permitting any skating rink to operate within two hundred and fifty feet from any church, unless written consent therefor is secured from the proper officers of the church, and such written consent filed with the city clerk at the time the application is made for a license.

SEC. 6. No person, firm or corporation shall be granted a license to operate or conduct a skating rink within the city of Sioux City, until he shall have first paid into the city treasury the sum of sixty dollars (\$60.00), as a license fee, which amount shall entitle the applicant to a license for the period of one year; but all licenses issued hereunder shall expire on the first day of April of each year, including those issued from and after the passage of this ordinance during the year 1908, and no license shall be issued hereunder for less fee than sixty dollars (\$60.00) whether the same be for a full year, or a fractional part thereof.

SEC. 7. No person, firm or corporation shall, from and after the passage of this ordinance operate or conduct a skating rink within the limits of the city of Sioux City, Iowa, until he shall have first procured a license in the manner hereinbefore provided, and any person, firm or corporation who shall operate or conduct a skating rink without procuring such license, or who shall in any manner violate any of the provisions of this ordinance, shall be liable to a fine of not more than one hundred dollars (\$100.00), or imprisonment in the county jail not exceeding thirty (30) days; and each day on which any person, firm or corporation shall conduct or operate a skating rink contrary to or in violation of the provisions of this ordinance, shall be deemed a separate and distinct offense, and punishable as such.

SEC. 8. This ordinance shall be in full force and effect from and after its passage and publication, as provided by law.

Passed April 14, 1908.

**REGULATING AND LICENSING THEATRES, ETC.**

AN ORDINANCE to regulate and license opera houses, theatres, moving picture shows, theatrical exhibitions, shows and other exhibitions, and providing a penalty for a violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. Theatres, Moving Picture Shows, etc. That no person shall direct, manage, exhibit, produce or display any theatre, theatrical exhibition, moving picture show, or other exhibition of any kind, except an exhibition, concert or other entertainment, conducted for religious and charitable purposes or for public benefit, without first paying the license fee and procuring the license herein provided for. No portion of license fee paid shall be returned for any cause.

SEC. 2. That the license fees to be paid for the licenses required under this ordinance, beginning April 1, 1911, are as follows:

First. For each theatre, opera house or hall used for public entertainments, moving picture shows, concerts and other exhibitions where the highest admission fee charged for any one seat is seventy-five cents or upwards, the owner, agent or manager of same shall pay a license fee of one hundred fifty dollars (\$150.00) per year.

Second. Where the highest admission fee for any one seat is more than ten cents and does not exceed seventy-five cents, the license fee shall be one hundred dollars (\$100.00) per year.

Third. Moving picture shows charging an admission fee of ten cents shall pay a license fee of seventy-five dollars (\$75.00) per year. Where the admission fee is not more than five cents the license fee shall be fifty dollars (\$50.00) per year.

Fourth. For all theatrical exhibitions, traveling concerts, minstrel shows and performances, and all other public exhibition shows or performances not otherwise enumerated, charging an admission fee in halls or rooms not paying an annual license fee, the license fee shall be \$3.00 per day.

Fifth. For any exhibition, concert or other entertainment conducted for religious and charitable purposes, or for public benefit, no license fee shall be charged.

SEC. 3. Vulgar and Immoral Exhibitions. No obscene, vulgar, immoral or impure drama, play, exhibition, show or entertainment which tends to the corruption of public morals shall be licensed or

permitted, and no person receiving a license or conducting or taking part in any show, exhibition or entertainment shall conduct, permit or take part in any obscene, vulgar, immoral or impure show, exhibition or entertainment under such license, or at the place licensed.

SEC. 4. Moving Picture Shows Depicting Illegal Acts. Moving picture shows depicting burglaries, safe-cracking, holdups, stage coach or train robberies or acts of a criminal, immoral or indecent nature, are prohibited.

SEC. 5. Privilege of Officers to Attend Entertainments. The mayor, superintendent of public safety, chief of police, and any police officer detailed for the purpose shall be permitted to enter any licensed place of entertainment and remain during the entire, or any part of the performance on the stage, and it shall be the duty of such official or officer to, or any citizen may, enter complaint to the police court against any party or parties violating this ordinance.

SEC. 6. Leasing Property. No person or persons shall lease or let any building, house or place of any kind within the corporate limits of the city of Sioux City, Iowa, for any of the purposes or acts prohibited by this ordinance.

SEC. 7. Penalty. Any person who shall violate any of the provisions of this ordinance or who participates or aids in any of the acts prohibited by this ordinance shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars (\$100.00), or imprisonment in the county jail not exceeding thirty (30) days, or both such fine and imprisonment.

SEC. 8. This ordinance shall be in force and effect from and after its passage and publication as provided by law.

Passed February 4, 1911.

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## APPROPRIATIONS FOR CITY DEPARTMENTS.

AN ORDINANCE providing for the making of appropriations for expenditures for the different departments of the city government for each fiscal year.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the city council shall make the appropriations for all the different expenditures of the city government for each

fiscal year at or before the beginning thereof, and it shall be unlawful for it, or for any officer, agent or employe of the city to issue any warrant, enter into any contract, or appropriate any money in excess of the amount thus appropriated for the different expenditures of the city during the year for which said appropriations shall be made.

SEC. 2. The city council shall not appropriate, in the aggregate, an amount in excess of its annual legal authorized revenue, but nothing herein contained shall prevent the city council from anticipating its revenue for the year for which such an appropriation is made, or from bonding or refunding its outstanding indebtedness.

SEC. 3. Each officer or board in charge of any department shall furnish and file in the city clerk's office, thirty days before the beginning of each fiscal year, which shall be the first day of April of each year, a sworn detailed statement of the supplies necessary for his or their department during the next fiscal year.

SEC. 4. The city clerk shall advertise by two consecutive insertions in one or more daily newspapers published in Sioux City, for bids for furnishing all supplies of every kind for the several departments of the city, said advertisement to be published two weeks before the beginning of each fiscal year. Each bid shall be accompanied by a certified check in the amount of five per centum of the amount of the bid, as security for the faithful performance of the terms of the bid, said check to be made payable to the city treasurer of the city of Sioux City, which check shall be forfeited to the said city in case any bidder, or bidders, receiving an award of any contract, shall fail to properly execute said contract and give a bond for an amount equal to at least forty per centum of the amount bid, with good and sufficient surety for its faithful performance.

SEC. 5. The city clerk shall prepare copies of the statements filed by the officers, or any schedule of articles and materials which may be authorized by the council, and furnish the same to all persons who may desire to bid on the furnishing of such supplies.

SEC. 6. The city council shall have and reserve the right to reject any or all bids, or any part of any bid, for such supplies and to award contracts in accordance therewith.

SEC. 7. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Passed February 25, 1911.

### REGULATING MARKETS.

AN ORDINANCE regulating markets and sales thereon in the city of Sioux City.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall sell, or offer for sale, upon open market within the city of Sioux City, any hay or wood, except upon the public hay or wood market, and that no sales of hay or wood shall be made, except upon hay and wood markets that may from time to time be established by the city council by resolution or otherwise.

SEC. 2. That all public markets and market places, now or hereafter to be established, by resolution or otherwise, shall be under the control of the superintendent of markets, and all persons occupying such markets shall occupy such places thereon as he shall direct or designate; and before any wood shall be placed thereon for sale it shall be measured by the said superintendent of markets, and before any hay shall be placed thereon for sale it shall be weighed by said superintendent, or some public weighmaster.

SEC. 3. There shall be appointed by the city council such number of public weighmasters as the council shall deem proper, who shall hold their office during the pleasure of the council, and shall execute a bond with sureties in such amount as the council shall, from time to time, by resolution or otherwise designate, and shall receive such compensation as the city council may from time to time by resolution prescribe.

SEC. 4. There shall be maintained by the city of Sioux City public scales of sufficient capacity to weigh all ordinary loads or articles of sale, and the same shall be located at such places as the council may designate, and shall be under the direct management and control of the superintendent of markets.

SEC. 5. The superintendent of markets, and all public weighmasters, shall attend at their respective offices at all reasonable times to weigh and measure any and all loads, articles and commodities,



any person may desire to have weighed, and shall keep an account of such weight or measurements of such articles, loads or commodities, to be reduced to proper denominations according to the standard of weights and measures of the state of Iowa. They shall give a certificate, attested by the city seal, to the person having the same weighed or measured, which shall show the net and gross weight of all loads, articles and commodities weighed, and the dimensions of all articles or commodities measured by them respectively. Provided, such certificates shall not be given for any load weighed by them unless the empty wagon, dray or other vehicle shall have been weighed by them not more than twenty-four hours before or after such load was weighed, unless they have the written consent of the buyer of such load, in which case they shall write down the date when the empty wagon or other vehicle was weighed. In all cases they shall see that the empty wagon, dray or other vehicle is in the same condition as when the full load was weighed, and see that there is nothing on the load open to the eye that does not properly belong thereto.

SEC. 6. Such sealed certificates or weigh tickets shall be furnished by the city, and shall have impressed thereon the seal of said city, and all public weighmasters shall, at the time such certificates or tickets are issued to them, pay into the city treasury the amount of fees represented by said certificates less the amount allowed such weighmaster for weighing. Upon the presentation of the treasurer's receipt for the amount paid the city clerk shall issue to said weighmaster the number of such certificates represented by said treasurer's receipt.

SEC. 7. Such certificates shall have printed thereon the amount of fees properly chargeable for the issuance thereof by the superintendent of markets and public weighmasters.

SEC. 8. All public weighmasters are hereby forbidden to issue to any person for whom they may do any weighing any certificate or weigh ticket other than those furnished by the said city. Any person violating any of the provisions of this section shall, upon conviction thereof, be fined in an amount not less than twenty-five dollars and not more than one hundred dollars and shall stand committed until such fine and costs are fully paid.

SEC. 9. The city clerk shall keep an account of all certificates for weighing and measuring issued to the superintendent of mar-

kets, and said superintendent shall stand charged with such certificates so issued, and shall return into the city treasury the amount represented by such certificates, and his failure so to do or to satisfactorily account for the same shall be sufficient cause for his removal from office.

SEC. 10. The superintendent of markets and all public weighmasters shall severally and respectively be liable, on their official bonds or otherwise, for all damages any person or persons may sustain by reason of their mistakes, negligence, carelessness or neglect of duty in weighing or measuring, and for any incorrectness of their scales or measures.

SEC. 11. The superintendent of markets and all public weighmasters shall keep all necessary and proper books, in which shall be entered an account of each transaction in their respective offices, and an itemized account of all moneys received by them.

SEC. 12. The city shall furnish to the superintendent of markets all necessary sealed certificates, books, blanks, and stationery for use in his office.

SEC. 13. The superintendent of markets and all public weighmasters shall demand and receive from the person for whom they shall perform any of the services herein provided, for the use and benefit of the city of Sioux City, such fees as the city council shall from time to time by resolution prescribe.

SEC. 14. All hay, coal, cattle, sheep, swine, wool, potatoes, oats, corn, wheat, barley, rye, flax, onions, wood, lumber, and all other commodities sold by weight or measurement within the limits of the city of Sioux City shall be weighed or measured by the superintendent of markets, or some public weighmaster, except when it is agreed between buyer and seller that the same may be weighed upon scales belonging to either buyer or seller, or that they will measure the same.

SEC. 15. No person, shall, without the consent of the purchaser, sell and deliver within the city of Sioux City, any hay, coal, cattle, sheep, swine, wood, lumber, or other commodities, by weight or measure, without having the same weighed or measured by the superintendent of markets, or some public weighmaster. Any person guilty of a violation of this section shall pay a fine of not less than five dollars and costs of prosecution.

SEC. 16. No person shall remove, with intent to defraud another, any part of any load, part of a load, article or commodity, after the same shall have been weighed or measured as prescribed herein, and before delivery thereof to the purchaser. Any person guilty of a violation of the provisions of this section shall be subject to a fine of not less than twenty nor more than one hundred dollars for each offense, with costs of prosecution.

SEC. 17. No person, except the superintendent of markets or public weighmaster, shall, within the city of Sioux City, weigh any commodity of any description for any other person or persons, firm or corporation. Any person guilty of a violation of the provisions of this section shall be subject to a fine for each and every offense, and shall pay the costs of prosecution; provided, that nothing in this ordinance contained shall be construed as prohibiting any person, or persons, from weighing any or all the commodities herein specified, bought or sold by them. And, provided, further, that any person buying any of said commodities shall have the right to insist that the same shall be weighed or measured by the superintendent of markets, or by some public weighmaster, before delivery thereof.

SEC. 18. The superintendent of markets, at the expiration of his term of office, shall make an inventory of all property of the city in his care or under his control, which inventory shall be filed with the city clerk, and shall deliver all of such property so belonging to the city to his successor in office.

SEC. 19. The superintendent of markets, all public weighmasters, all market places, scales, city scaler and all standards of weights and measures, and all matters and things thereto pertaining, are hereby made subject to the supervision of the superintendent of the department of accounts and finances.

SEC. 20. Any person violating, or failing to comply with any of the provisions of this ordinance shall, upon conviction thereof, where no other punishment therefor is imposed, be fined in a sum not exceeding one hundred dollars, or be imprisoned not exceeding thirty days.

SEC. 21. All ordinances in any manner in conflict with the provisions of this ordinance are hereby repealed.

Passed August 24, 1888.

**WEIGHMASTERS TO GIVE BOND.**

AN ORDINANCE requiring all persons doing public weighing and using city tickets therefor to furnish a bond in the sum of one thousand dollars (\$1,000.00).

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That any person, firm or corporation doing public weighing within the city of Sioux City, and furnishing city tickets therefor, shall be required to furnish to the city of Sioux City a bond in the penal sum of one thousand dollars (\$1,000.00). Said bond shall be conditioned that the principal and surety thereon shall be liable to any person or persons who may sustain any loss, injury or damage by reason of errors on the part of said person, firm or corporation doing said weighing, or by reason of the using of false weights or incorrect scales, or by reason of any violation of the ordinances regulating markets and sales thereon in the city of Sioux City, Iowa, or by reason of the violation of any of the provisions of the ordinances regulating weights and measures and providing for the appointment of a sealer thereof and defining his duties. Said bond shall be signed by at least two resident freeholders of Woodbury county, who shall make oath that they have real estate in Woodbury county, Iowa, not exempt from execution and the value of which is equal to the amount of said bond. Provided, however, that any surety company authorized to execute such bonds within the county of Woodbury and state of Iowa shall be accepted as good and sufficient surety thereon.

SEC. 2. The city clerk shall cause to be printed, and shall keep in his office in the city building, blank bonds to be furnished free to applicants therefor.

SEC. 3. Any person, firm or corporation who shall do any public weighing and furnish city tickets therefor after September 1, 1906, without having complied with the provisions of this ordinance, shall be fined one hundred dollars (\$100.00), or imprisoned in the county jail thirty (30) days.

SEC. 4. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed August 21, 1906.

**SEALER OF WEIGHTS AND MEASURES.**

AN ORDINANCE to provide for the appointment of a sealer of weights and measures and providing for his assistants, defining their duties and powers, defining standards of weights and measures lawful to be used, and the manner and process by which commodities and merchandise sold, or offered for sale, shall be measured or weighed; providing penalties for the violation thereof, and repealing all ordinances in conflict herewith.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. Appointment of Sealer of Weights and Measures. A sealer of weights and measures for the city of Sioux City, Iowa, shall be appointed by the city council of the city of Sioux City, Iowa, upon the passage and approval of this ordinance, who shall hold office at the pleasure of the city council and until his successor is appointed and qualified, at an annual salary not to exceed seven hundred and twenty dollars. Said city may also, at the time of appointing the sealer of weights and measures and from time to time thereafter, appoint such assistants as the council deem necessary to the proper enforcement of the provisions of this ordinance and the laws regulating weights and measures, at an annual salary not to exceed six hundred dollars each. The sealer of weights and measures shall devote his entire time to the duties of his office.

SEC. 2. Bond. Said sealer of weights and measures and said assistants shall each, before entering upon the duties of their office, execute a bond to the city of Sioux City, Iowa, in the sum of one thousand dollars with sureties to be approved by the council.

SEC. 3. Police Authority. Said sealer of weights and measures, and his assistants, are hereby clothed with police power in all matters pertaining to their office and the enforcement of this ordinance and the statutes of the state of Iowa regulating weights and measures.

SEC. 4. Standards. The said sealer of weights and measures, at the expense of the city, shall secure correct and approved standards of weights and measures of the standard adopted by the state of Iowa, with the necessary subdivisions, together with the proper beams and scales for the purpose of testing and proving the weights and measures of said standards used in the city.

SEC. 5. Inspection and Sealing Once Each Year. It shall be the duty of the said sealer of weights and measures, not less than once in each year, and as much oftener as may, in his judgment, seem necessary, to inspect, examine and test the accuracy of all weights, measures, scales, scalebeams, balances, steelyards, computing devices, and all other instruments used in weighing or measuring any article intended to be purchased or sold in this city, or weighing persons; provided, however, that where any of the weighing or measuring devices herein mentioned are accurate at times other than the annual inspection herein required, no fee shall be charged or collected.

SEC. 6. Inspection, Obligation. Every person using weights, measures, scalebeams, steelyards, balances, computing devices, or any instrument for weighing or measuring any article intended to be purchased or sold in the city, or in weighing any person, or animal, for hire or reward, shall, before using the same, cause the same to be inspected and sealed by the sealer of weights and measures in accordance with the provisions of this ordinance.

SEC. 7. Peddlers and Hawkers. All itinerant peddlers and hawkers using scales, balances, weights and measures, shall take the same to the sealer of weights and measures or one of his assistants, before any use is made of the same and once each year thereafter and have the same inspected, tested and adjusted, and, if the same are found correct, they shall be sealed as provided in the next section hereof.

SEC. 8. Stamp or Seal. When the sealer of weights and measures or his assistants shall have inspected and tested any weights, measures, scales, scalebeams, balances, steelyards, computing devices, or any other instrument used in weighing or measuring any article intended to be purchased or sold, or used in weighing persons or animals, or any other weighing or measuring device included in this ordinance, as required by the provisions hereof, and the same are found by him accurate, and in conformity with this ordinance, the same shall be stamped or sealed with a suitable stamp or seal to be hereafter prescribed by the council, attesting their accuracy at the time of inspection. Provided, however, that the stamp or seal of the sealer of weights and measures when placed by him on any weight, measure, device or instrument used in weighing, measuring, or computing shall only be a certificate of accuracy at the time said stamp or seal was placed thereon, and its presence on any weight,

scale, measure, computing or measuring device shall not relieve the user thereof from the duty of keeping the same correct and accurate, free from indentations, or relieve the device or user thereof from coming within every provision of this ordinance.

SEC. 9. Register. It shall be the duty of the said sealer of weights and measures to make and keep a register of all weights, measures, scalebeams, balances, steelyards, and other instruments used for weighing, computing or measuring, inspected by him or his assistants, in which he shall state the name and factory number, or other particular description, of the device inspected, the name of the owner or user of the same, place of business or where the same is used, and the date and result of his inspection.

SEC. 10. Fees. It shall be the duty of the sealer of weights and measures and his assistants to charge and collect the following fees for performing the duties prescribed in this ordinance, which fees shall be accounted for to the city treasurer: For platform scales with weights belonging thereto, and for beam scales weighing one thousand pounds and upwards, fifty cents each, and a reasonable compensation in making weights conform to the standards in his possession, including cartage of weights; for automatic slot weighing machines, fifty cents; for scales of smaller denominations, twenty-five cents each; for counterscales, with weights, twenty-five cents each; for weights, single, five cents each, but not to exceed twenty-five cents for a set; for dry measures, bushels or half bushels, ten cents each; for smaller denominations, five cents each; for wine measures, three gallons or upwards, ten cents each; for smaller denominations, five cents each; for sealing and marking measures of extension at the rate of ten cents per yard, not to exceed fifty cents for any one measure. Provided, however, that it shall not be lawful for the said sealer of weights and measures or his assistants to collect or receive the aforesaid charges for inspecting and examining weights, measures, scales, beams, steelyards, measures of extension, and other instruments, more than once each year from the same owner or lessee, unless not found conformable with the standard when examined.

SEC. 11. Seizure of False Weights or Devices. Prosecution. It shall be the duty of said sealer of weights and measures, in the name of the city, to seize all false weights, measures, indented measures lessening capacity, scales, either computing or weighing, or

both, or scales that do not remain in correct weighing condition after adjustment, and to cause prosecutions to be made in the police court against all persons using any of the above mentioned false weights, measures or instruments in trade or business transactions; and it shall be the duty of the sealer of weights and measures to prosecute any user of weights or computing scales, or measuring instruments capable of adjustment by thumb screw or other hand device, for failing to keep in absolute adjustment said weighing or computing scales or measuring instruments, or for measuring by dry or liquid measures with indentations that lessen capacity, if said scales or measuring instruments are used in public trade or business transactions, or for the purpose of doing public weighing for hire or reward.

SEC. 12. Inspection of Merchandise Consisting of Measuring and Weighing Devices. It shall be the duty of the said sealer of weights and measures or his assistants to inspect any stock, either new or second hand, containing weights, computing, or measuring devices, or measures, offered for sale or sold in this city.

SEC. 13. Examination of Articles or Commodities. It shall be lawful for the sealer of weights and measures to make examinations of the weight of articles or commodities labeled, billed, or with statements of weight accompanying the same for delivery to customers and weigh or reweigh the same, and it shall be lawful, in the performance of his duty, for the sealer of weights and measures to enter any store, shop, warehouse, or other place where any article or commodity is exposed for sale to the public, and also to stop, detain, and examine any wagon or other vehicle, or person carrying any articles or commodities, mentioned herein, for delivery to purchasers, and require the bill or statements of weight, measure, length or quantity to be exhibited, and to ascertain whether the articles or commodities correspond in weight, measure, length, or quantity to the bills or statements, and if the weight, length, measure, or quantity is less than the amount as stated in the bills or statements, it shall be lawful for the said sealer of weights and measures to seize such articles or commodities, if necessary, to use for evidence on trial, and enter complaint against the person, firm or corporation immediately, before the proper court, and on conclusion of the trial, and after judgment has been rendered, or fine imposed, he shall return the said articles or commodities to the rightful owner. Bulky



articles or commodities, weighed by the city public weighmaster need not be detained; the certificate of weight shall be evidence of the correct weight.

**SEC. 14. Sale of Large Fruits, Vegetables and Bulky Articles.** All large fruits, vegetables and bulky articles, and substances not liquid, sold or offered for sale, by dry measure, shall be sold by heaped measure, and all commodities sold by heaped measure shall be duly heaped up in said measure in the form of a cone, the top of the outside measure by which the same shall be measured to be the limit of the base of such cone, and such cone to be as high as the nature of the article to be measured will admit the same to be heaped, and a bushel of the respective articles to be the amount of weight as provided by title 42, chapter 1, section 3016, of the supplement to the code of the state of Iowa, of the year 1907, as follows:

Apples, 48 pounds;	Onion top sets, 30 pounds;
Beets, 56 pounds;	Parsnips, 42 pounds;
Beans, 60 pounds;	Peanuts, 20 pounds;
Carrots, 50 pounds;	Peas, 60 pounds;
Castor beans, 46 pounds;	Popcorn in ear, 70 pounds;
Corn in cob, 70 pounds;	Potatoes, 60 pounds;
Corn in ear, unhusked, 75 pounds;	Rutabagas, 50 pounds;
Cucumbers, 48 pounds;	Sweet corn, 50 pounds;
Green beans, unshelled, 56 pounds;	Sweet potatoes, 46 pounds;
Green peas, unshelled, 50 pounds;	Tomatoes, 50 pounds;
Onions, 57 pounds;	Turnips, 55 pounds;
Onion bottom sets, 32 pounds;	

and the half bushel shall be obtained by dividing by two, and the unit or standard measure of capacity from which all other measures of such articles shall be derived, shall be the half bushel furnished the state of Iowa by the United States, and the peck, half peck, quarter peck, quart, and pint measures derived by successively dividing that measure by two.

**SEC. 15. Grain.** All grain shall be sold by avoirdupois measure, and a bushel of the respective articles to be the amount of weight as provided by title 42, chapter 1, section 3016, of the supplement to the code of the state of Iowa, of the year 1907, as follows:

Alfalfa seed, 60 pounds;	Millet seed, 50 pounds;
Barley, 48 pounds;	Oats, 32 pounds;
Blue grass, 14 pounds;	Orchard grass, 14 pounds;

Bran, 20 pounds;	Osage orange seed, 32 pounds
Broom corn seed, 50 pounds;	Popcorn, shelled, 56 pounds;
Buckwheat, 52 pounds;	Rape, 50 pounds;
Canary seed, 50 pounds;	Red top, 14 pounds;
Clover seed, 60 pounds;	Rye, 56 pounds;
Flax seed, 56 pounds;	Shelled corn, 56 pounds;
Hemp seed, 44 pounds;	Spelt, 35 pounds;
Hungarian grass, 50 pounds;	Timothy seed, 45 pounds;
Kaffir corn, 56 pounds;	Wheat, 60 pounds.

SEC. 16. Coal, Charcoal, Coke, Hay, Alfalfa, Millet, Ice and Straw. All coal, charcoal, coke, hay, alfalfa, millet, ice and straw shall be sold by avoirdupois weight, and a ton shall consist of two thousand pounds.

SEC. 16½. Ice. Ice sold in wagon loads by weight shall be sold and weighed as provided in section 18 of this ordinance, except that in quantities of a ton and upwards, ice may be sold by scale weight, and the shrinkage by melting, between time of weighing and delivery, be subject to agreement between seller and buyer. Every vendor of ice, other than by the wagon load, whether the ice be delivered at the residence or place of business of the purchaser, or be delivered from the store house, shall keep and carry scales and weights suitable for weighing ice at the store house, or at the place of delivery, as the case may be, and shall, whenever requested by the buyer and in the buyer's presence, before delivery, weigh any ice sold or offered for sale. The vendor of ice or his employes and agents at the time of delivering any ice to the purchaser, shall state to such purchaser the correct weight of the same. All scales used in weighing ice as required in this section, shall be inspected and sealed as provided in this ordinance, and it shall be unlawful for any vendor of ice, or his agents and employes to use scales which have not been inspected and sealed in accordance with this ordinance. Any person, firm or corporation, their officers, agents and employes, who shall sell any ice contrary to the provisions of this ordinance, or shall fail, neglect or refuse to use scales as herein required, or who shall refuse to state the correct weight of any ice delivered, shall, upon conviction, be fined as hereinafter provided.

SEC. 17. Berries. All berries shall be sold by dry measure, and if offered for sale in baskets, boxes, or other container, said baskets, boxes, or other container must be of a capacity of one quart.

one pint, or one-half pint, unless each box, basket, or other container shall have indicated thereon plainly, conspicuously and legibly, the actual measure in words or figures, either stamped, written or by label.

SEC. 18. Merchandise Sold by Wagon Load. All merchandise sold by wagon load by weight and not enclosed in bales, bags, parcels or packages shall be weighed by avoirdupois weight on scales inspected by the sealer of weights and measures or his assistants, and when so weighed on public scales the seller shall receive of the public weighmaster appointed by the city council, a written or printed memorandum showing the date of weighing, the gross weight, the tare weight, and the net weight of such merchandise, the name of the seller, and the signature of the weigher, with copy of the seal of the city printed thereon; said memorandum shall be delivered to the purchaser by the seller or his authorized agent at the time of delivery of any such merchandise and before such merchandise is removed from such wagon or conveyance. Any person or corporation, or any officer, agent or employe thereof, who shall fail to deliver the memorandum, or who shall deliver a load of merchandise which does not weigh as much as the amount shown on the memorandum, or any party or corporation or their agent who shall deliver a memorandum on which tare, or weight of the wagon or conveyance, including the driver, as written or printed thereon, is less than the weight of said wagon or other conveyance with the driver, shall be guilty of violating the provisions of this ordinance and fined as hereinafter provided.

SEC. 19. Bread. All bread hereafter sold or offered for sale in the public markets of the city of Sioux City, shall weigh at least sixteen (16) ounces to the loaf, unless there is printed, written, or stamped thereon, upon a label attached thereto, in size at least three inches square, or, if round, at least three inches in diameter, the net weight of such bread, in ounces or fractions of a pound, avoirdupois, and the name of the baker or manufacturer thereof.

The provisions of this ordinance shall not apply to crackers, pretzels, buns, scones, rolls, or loaves of fancy bread, weighing less than one-quarter of a pound avoirdupois, or to what is commonly known as "stale bread," being bread one or more days after baking, sold as such, provided the seller shall at the time of the sale expressly

state to the buyer that the bread so sold is "stale bread, and that it is under weight."

Every maker, baker or manufacturer of bread, every proprietor of a bakery or bake shop, and every seller of bread in the city of Sioux City shall keep scales and weights suitable for weighing of bread, in a conspicuous place in his bakery, bake shop or store, and shall, whenever requested by the buyer, and in the buyer's presence, weigh the loaf or loaves of bread sold or offered for sale.

It shall be lawful for the sealer of weights and measures, or his assistants, to enter, in the daytime, into any house, bake shop, warehouse, or other building where any bread is baked, stored, deposited or offered for sale, and also to stop, detain, and examine any wagon, or other vehicle, carrying bread for sale or delivery to customers, and search for, view, try, and weigh all or any bread that shall be there found, and if on any such search, there shall be found any bread not in accordance with the provisions of this ordinance and in violation of, or contrary to any of the provisions of this ordinance, any of the persons above mentioned may seize such bread, and the same shall be taken immediately to the office of the sealer of weights and measures, and there deposited and kept to be used on the trial of the person or persons against whom complaint is made; and if he, she, or they shall be convicted, such bread shall be retained by the sealer of weights and measures until the fine, if any, shall have been satisfied together with the costs, when he shall return the same to the owner.

In weighing any bread, the sealer of weights and measures, or his assistants, may weigh without separating the loaves joined together in one baking, if not at the time separated by the seller, and divide the weight according to the number of loaves to ascertain the weight of each loaf; the entire weight of the loaves so joined must, in the aggregate, equal the required sixteen (16) ounces to the loaf.

Any person, firm or corporation who shall make, or procure for the purpose of sale, sell, offer, or expose for sale, in the city of Sioux City, any loaf or loaves of bread which do not weigh sixteen ounces, or as much as the weight marked thereon, or any bread, the loaf or loaves of which do not have affixed thereon the label marked as hereinbefore provided, contrary to the provisions of this ordinance, shall, upon conviction, be fined as hereinafter provided.

SEC. 20. Flour. All flour, meal, or other mill products shall be sold by avoirdupois weight. A standard barrel of flour shall contain one hundred ninety-six pounds, and if sold or offered for sale in smaller quantities, enclosed in a sewed sack, said sack to have plainly, conspicuously and legibly indicated thereon in figures or words, the exact weight of the flour contained therein.

Any person, firm or corporation offering flour for sale or having in their possession flour for sale, contrary to the provisions of this ordinance, shall, upon conviction, be fined as hereinafter provided.

SEC. 21. Measurement of Stove and Fire Wood. A cord of fire wood shall consist of wood piled as closely and as compactly together as the wood permits, said pile to be eight (8) feet in length, four (4) feet in height, and four (4) feet in width, and containing in all one hundred and twenty-eight cubic feet.

A cord of stove wood shall consist of wood piled as closely and as compactly together as the wood permits, said pile to be eight (8) feet in length, four (4) feet in height, and twelve (12) inches in width, and containing in all thirty-two (32) cubic feet.

When stove or fire wood is divided in lesser or greater lengths than as provided in this section, then the proportionate part of a cord, eight (8) feet in length, four (4) feet in height, and four (4) feet in width, shall be the standard of measure.

It shall be unlawful to sell fire wood by the cord containing less than one hundred and twenty-eight (128) cubic feet, and stove wood by the cord containing less than thirty-two (32) cubic feet, and shorter and longer lengths in proportion, and in the same ratio for less than one cord, and it shall be lawful for the sealer of weights and measures, or his assistants, to examine any load of wood offered for sale and ascertain the quantity.

Any person, firm or corporation representing, selling, or delivering a load of wood or chunks represented, billed, stated, or marked as containing a cord or any part of a cord, which contains less than represented, stated, marked, or billed, shall be liable to the penalty hereinafter provided, for violation of this ordinance.

SEC. 22. Measuring Wood by Request of Purchaser. It shall be the duty of the sealer of weights and measures or his assistants, at the request of any householder or purchaser, to measure wood or chunks of wood after delivery, if the same is piled up in convenient form for measurement, and if the quantity be less than rep-

resented to the householder, or purchaser, by the seller, the sealer of weights and measures shall cause complaint to be made against the seller in the police court of the city, and the wood or chunks of wood shall remain in the same condition as when delivered, until after the trial, and judgment has been rendered; it shall not be lawful for the sealer of weights and measures to collect or receive any fee for such measurement.

SEC. 23. Request of Weight and Measure by Purchaser. Any purchaser of any article or commodity, either before or after delivery, may request the sealer of weights and measures to weigh or measure the same, except bulky articles necessary to be weighed on the city scales, and in the latter case may request the weighing on the city scales before the removal from the wagon or conveyance, and if the weight or measure be less than represented, billed, or stated, it shall be the duty of the sealer of weights and measures to enter complaint to the police court against the person, firm, or corporation delivering or ordering the same to be delivered to the purchaser, and, with the exception of articles or commodities weighed on the city scales, and the weight certified to by the city weighmaster, which shall be evidence of the correct weight, the sealer of weights and measures shall retain in his possession the articles, commodities, or parcels until after trial and judgment, and then return the same to the owner.

It shall not be lawful for the sealer of weights and measures to collect or receive any fee for weighing articles or commodities, as herein stated, except the regular fee of the city weighmaster to be paid on bulky articles or commodities, said fee not to exceed ten cents for a load.

SEC. 24. Sealer of Weights and Measures Not to Vend. It shall not be lawful for the said sealer of weights and measures or his assistants to vend any weights, measures, scalebeams, steelyards, balances, computing devices, or other instruments to be used in weighing, measuring, or computing, or to offer or expose the same for sale, or to be interested directly or indirectly in the sale of the same in this city. Violation of this section shall be sufficient cause for removal from office.

SEC. 25. Use of Scales and Slot Weighing Scales When Out of Order. It shall be unlawful to use in public trade transactions, any instrument or device for weighing, measuring, or computing,

when said instrument is not in absolute adjustment, or when inaccurate, or any automatic slot weighing machine for weighing persons or materials, when inaccurate or failing to weigh or to record accurate weight when coin is dropped in slot, and the owner or lessee of the same shall be subject to fine as hereinafter provided for violation of this ordinance.

SEC. 26. Deceit or Fraud in Regard to Measuring the Weight of Commodities. Any person, firm or corporation, or any officer, agent or employe thereof, who shall practice deceit or fraud of any kind whatsoever in the sale of any commodity or article of merchandise of any kind whatsoever, whether sold by dry measurement, liquid measurement, linear measurement, or superficial measurement, cubic measurement, weight, or by any unit of enumeration used in determining or measuring quantity, by selling or offering for sale, any commodity or article of merchandise of any kind whatsoever, in quantities of less weight or measure than the weight or measure represented by the vendor, or his agent or employe, upon such sale or offer to sell, or who shall sell or offer for sale any commodity in any receptacle containing a less quantity than it is represented at the time of such offer of sale, or sale, to contain, or any article measured by dry measure that shall not be heaped up measure in accordance with the provisions of this ordinance, or who shall sell or offer for sale, any article of dry measurement in other than a legal dry measure, or any article of liquid measurement in other than a legal liquid measure, or in any measure which has not been inspected and sealed by the sealer of weights and measures, or his assistants, in accordance with and pursuant to the provisions of this ordinance, shall be guilty of violating the provisions of this ordinance and fined as hereinafter provided.

SEC. 27. False Bills and Labels. It shall be unlawful to label, bill, or make statements falsely representing the length, quantity, or weight of any article, commodity or merchandise sold or offered for sale, and any person, firm or corporation, or any officer, agent, or employe thereof who shall place upon any article or commodity for sale a false label as to weight or measurement, or make or cause to be made false bills or statements of such articles or commodities, or who shall represent the contents, measurements, or weight of any article or commodity offered for sale, or sold, other than the true, correct, net length, quantity, or weight, shall be guilty of a

violation of the provisions of this ordinance and fined as hereinafter provided.

SEC. 28. Refusal to Exhibit. Any person who shall refuse to exhibit any bill or statement of weight, measure, scalebeam, steelyard, balance, or other measuring, weighing, or computing instrument, to the sealer of weights and measures, for the purpose of being inspected and examined, shall be guilty of violating the provisions of this ordinance.

SEC. 29. General Penalty. Any person, firm or corporation, or any officer, agent, or employe thereof, who violates, disobeys, omits, neglects, or refuses to comply with the provisions of this ordinance, or any person who in any way or manner obstructs, hinders, or molests the sealer of weights and measures, or his assistants, in the performance of their duties as herein and hereby imposed on them, shall, upon conviction, be fined in a sum not to exceed one hundred dollars (\$100.00), or by imprisonment not to exceed thirty (30) days, and every omission, neglect, or continuance of the thing commanded or prohibited for twenty-four hours, shall constitute a separate and distinct offense.

SEC. 30. Repeal of Former Ordinances and Amendments in Conflict Herewith. All ordinances or amendments of ordinances in conflict herewith are hereby repealed.

Passed December 3, 1910.

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### TEST WEIGHTS OF COAL OR COKE.

AN ORDINANCE to provide for making test weights of loads of coal or coke sold by dealers for delivery in the city of Sioux City, and providing a penalty for short weights.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That it shall be the duty of the city sealer of weights and measures to secure the names of all retail coal or coke dealers in the city of Sioux City, and make up a list in writing showing the names of all dealers, and file such list with the city clerk at the close of each calendar month.

SEC. 2. It shall be the duty of the city sealer of weights and measures to make a test weight of loads of coal or coke in transit being delivered by any coal or coke dealer in the city of Sioux City,



at least once each month; and the city sealer of weights and measures shall cause at least one load of coal in transit from each coal or coke dealer in the city to be weighed over the city scales, or public scales under city bond, once each month, and he may and is hereby given authority to require more than one load to be weighed each month, as in his judgment may be deemed advisable. And for this purpose the sealer of weights and measures is hereby authorized and empowered to require the driver, or other person in charge of any load of coal or coke to submit the same to such re-weighing and such re-weighing shall be done by the city weigher, or proprietor of public scales under city bond. The city sealer of weights and measures shall cause the re-weighing of deliveries of coal or coke of the respective dealers to be made in the ratio, as nearly as can be, which the total number of deliveries made by such dealer bears to the total number of deliveries made by all the dealers, provided, however, that he shall cause the re-weighing of at least one delivery by each dealer once each month, as hereinbefore provided. (As amended January 28, 1911.)

SEC. 3. It shall also be the duty of the city sealer of weights and measures to keep a record of all re-weighing in a book provided for that purpose by the city. This record shall consist of a certificate made in duplicate, and substantially in the following form:

(Form of Certificate.)

City of Sioux City, Office of Sealer of Weights and Measures.  
 Certificate of re-weighing at city or public scales .....  
 day of ....., 19....

Seller .....	Official weight .....
Purchaser .....	Gross .....
Address .....	Tare .....
Contents .....	Net .....
Seller's weight .....	Signed .....
Ticket No. .... City or Public Weigher.	
Re-weighed in my presence and found correct.	

.....,  
 Sealer of Weights and Measures.

Said certificate shall show the names of the seller and purchaser, the contents of the wagon or other vehicle, the number of the seller's ticket, and the amount claimed to be on the wagon by the seller

before the same was re-weighed; also the date and place of re-weighing, and the actual gross, tare and net weights as ascertained by the weigher on re-weighing the coal or coke. Said certificate shall be signed by the weigher and attested by the signature of the sealer of weights and measures. The duplicate shall be delivered to the teamster in charge of the load of coal or coke re-weighed, and the original shall be retained by the inspector until the end of the month, at which time he shall turn in the originals as his monthly report to the city council and file same with the city clerk; said certificates to be in book form, and to be provided and furnished by the city clerk, and the original certificates which are to be turned in by the sealer of weights and measures shall not be detached from the book, but there shall be one book for each calendar month.

SEC. 4. Before requiring any driver of a load of coal or coke to weigh over the city scales, or public scales under city bond, the city sealer shall first ask the driver for a statement of the number of pounds of coal or coke he claims to have on his wagon, and if said driver has a ticket with him showing the weights, he shall deliver said certificate upon demand to the city sealer, who shall keep the same in his possession until the load of coal or coke is re-weighed; and if upon re-weighing such coal or coke, no shortage is found in said load of coal or coke, then said ticket shall be returned to the teamster, together with the certificate of the sealer of weights and measures referred to in the preceding section. If, however, there is a discrepancy between the official weights and the ticket or weights as stated by the driver or party in charge of said load of coal or coke, and said discrepancy amounts to more than thirty (30) pounds, then the ticket received by the sealer of weights and measures from the teamster or party in charge of said load of coal or coke shall be retained by him and pasted in his book with the original certificate of the weight of said load of coal or coke.

In case any teamster or other party in charge of a load of coal or coke in transit being delivered in the city of Sioux City, does not have the ticket with him showing the weight of said load of coal or coke, or claims that there is no ticket for the same, then, upon instructions from the sealer of weights and measures, it shall be the duty of said teamster, or party in charge of said coal or coke to return with said load to the office of the person selling said coal or coke, where the city sealer shall make demand of the proprietor,

manager or person in charge of said coal or coke business for a statement of the weight of said load of coal or coke, and for his ticket for said load, if there be a ticket, and shall, in the presence of the party from whom he receives his information, make a minute in writing of the number of pounds claimed to be on said load, and it shall then be the duty of the party furnishing the information to sign said ticket or statement, and the same shall be kept by the sealer of weights and measures, and used by him in the manner as hereinbefore described for tickets accompanying loads of coal or coke.

In case the city sealer of weights and measures finds that said load of coal or coke is under-weight more than thirty (30) pounds, then, if requested by the party in charge of said load so to do, he shall accompany said load to the original scales of the party selling the same, being the scales over which said load was first weighed by the seller, and there re-weigh said load for the purpose of discovering whether or not there is any discrepancy between the scales used. (As amended February 23, 1910.)

SEC. 5. It shall be the duty of every teamster or other person in charge of a load of coal or coke to deliver any ticket in his possession for said load of coal or coke to the sealer of weights and measures, and to state to the sealer of weights and measures, if he knows, the number of pounds of coal claimed to be on said load, and to obey the instructions of said sealer of weights and measures in driving said load of coal or coke to the city or public scales, or to the office of said seller of said load of coal or coke, and then to the city or public scales; and it shall also be the duty of any owner, proprietor or manager of any coal or coke business in the city of Sioux City to furnish the sealer of weights and measures the information hereinbefore provided for concerning the number of pounds of coal or coke claimed to be on the particular load inquired about by the sealer of weights and measures.

SEC. 6. In case any load of coal or coke is more than thirty (30) pounds under-weight, as shown by the certificate of the city, or public weighmaster, it shall be the duty of the city sealer of weights and measures to report the shortage, with all the facts and conditions surrounding the same, to the city attorney, who shall investigate the cause of said shortage, and if satisfied that the same was inexcusable by reason of difference in scales, weather condi-

tions, or some intentional error, then he shall swear out information charging the owner, proprietor or party in charge of said business, or any other person who has charge of the weighing of said coal or coke on behalf of the seller, with the violation of this ordinance. (As amended February 23, 1910.)

SEC. 7. In case any load of coal or coke is found to be underweight, as defined in the preceding section, the owner, proprietor, manager or other person in charge of the weighing of said load of coal or coke shall be deemed guilty of a misdemeanor, and shall be liable to a fine of not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00), or imprisonment in the county jail for not less than two (2) days nor more than thirty (30) days.

SEC. 8. Any teamster or other person in charge of any load of coal or coke required to be re-weighed by the city sealer, who shall refuse to obey his instructions concerning the re-weighing of the same, or any person, firm or corporation or employe of any seller of coal or coke who shall refuse to give the sealer of weights and measures the information required by this ordinance before re-weighing such coal or coke, shall be deemed guilty of a misdemeanor under this ordinance, and shall be liable to a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), or imprisonment in the county jail not less than two (2) days nor more than thirty (30) days.

SEC. 9. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed December 22, 1909.

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## FIRE DISTRICTS.

AN ORDINANCE establishing fire districts in the city of Sioux City, Iowa.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there shall be and is hereby established, in and for the city of Sioux City, eight fire districts, to be numbered one, two, three, four, five, six, seven, and eight, respectively, and that the first fire district shall comprise all the First ward, the second fire district shall include all the Second ward, the third fire district shall include all of the Third ward, the fourth fire district shall include all the Fourth ward, the fifth fire district shall include all the Fifth

ward, the sixth fire district shall include all the Sixth ward, the seventh fire district shall include all the Seventh ward, and the eighth fire district shall include all the Eighth ward of said city.

SEC. 2. All ordinances heretofore passed, establishing fire districts, are hereby repealed.

Passed February 4, 1911.

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### BUILDING WITHIN FIRE LIMITS.

AN ORDINANCE to prohibit the erection of any building within certain prescribed limits, unless the outer walls be constructed either of brick and mortar, or stone and mortar, or cement blocks, or reinforced concrete, and the roof of composition, or metal material, and providing further that any person desiring to erect any building within the fire limits, as hereinafter described, shall, before doing so, secure a permit from the city engineer for said purpose, and also providing a penalty for the violation hereof, and repealing ordinance No. G6445.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That within the limits hereinafter described, no person, firm or corporation shall build any building or addition to any building, not made, built and constructed with outer walls of brick and mortar, or stone and mortar, or cement blocks, or reinforced concrete, and roof of either composition or metal material; and all persons, firms and corporations are hereby prohibited from hereafter erecting any building or addition to any building, within said limits, the outer walls of which are not composed of the materials above described.

SEC. 2. That said limits be and the same are hereby declared to be as follows, to-wit:

Commencing at the center of Perry Creek where the same intersects the south line of Second street; thence northerly along the center of said creek to the south line of Third street; thence northwesterly along the west line of the right of way of the Chicago, Milwaukee & St. Paul R. R. to a point where said right of way line intersects the east line of Perry creek; thence northeasterly along the said east line of Perry street to a point where said east line intersects the center of Perry creek at a point about 300 feet north of the north line of West Fourth street; thence northerly along

the center of said creek to the center of Ninth street; thence east along the center of Ninth street to the center of the alley between Pierce and Nebraska streets; thence south along the center of said alley to the center of Sixth street; thence east along the center of said street to the center of Jackson street; thence south along the center of Jackson street to the center of Fifth street; thence east along the center of Fifth street to the center of Howard street; thence south along the center of Howard street to the center of Third street; thence west along the center of Third street to the west line of the alley between Iowa and Court streets; thence north along said west line of said alley to the south line of the alley between Third and Fourth streets; thence west along said south line of said alley to the east line of the alley between Court and Virginia streets; thence south along said east line of said alley to the center of Third street; thence west along the center of Third street to the east line of Jackson street; thence south along said east line to the north line of the alley between Second and Third streets; thence east along said north line of said alley to the center of Jones street; thence south along the center of Jones street to the south line of Second street; thence west along the south line of Second street to the place of beginning.

SEC. 3. That from and after the passage and publication of this ordinance no person, firm or corporation shall erect, move, remodel or materially alter or change the construction of any building within the limits above described without first making written application for permit therefor with the city engineer and fully complying in reference to said permit, and giving a bond, as required under ordinance No. G7412. The said application shall describe the place, the material and plan of said proposed building or erection, and no person shall begin the erection or construction of any such building, out-building, erection or addition until permission has been obtained and bond given as required by ordinance No. G7412.

SEC. 4. Any person, firm or corporation who shall hereafter construct, alter, remodel or move any building within the limits herein described without first securing the written permit therefor and giving bond as required by Ordinance No. G7412, shall be subject to a fine not exceeding one hundred dollars (\$100.00) and not less than fifty dollars (\$50.00), or imprisonment in the county jail not exceeding thirty (30) days, nor less than fifteen (15) days.

SEC. 5. Ordinance No. G6445 is hereby repealed and all ordinances and parts of ordinances in conflict herewith shall be, and the same are, to the extent of such conflict, hereby repealed.

SEC. 6. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed June 4, 1910.

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### FIRE DEPARTMENT.

AN ORDINANCE fixing the number, method of appointment and duties of the fire department.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. The fire department of the city of Sioux City shall consist of not more than 59 members, including the chief, assistant chief, 12 captains and an electrician.

SEC. 2. All appointments to the fire department, except the chief, shall be made by the superintendent of public safety and must be selected from the list certified to the council by the civil service commission.

SEC. 3. The salaries of all the members of the fire department shall be fixed by the council.

SEC. 4. The members of the fire department shall be subject to the rules and regulations made by the superintendent of public safety and chief, regarding their conduct, promotions and classifications.

SEC. 5. The chief of the fire department may prescribe limits in the vicinity of a fire, within which no person, except those residing therein, members of the fire department, police force, members of the city council, and those admitted by the said chief or his subordinates, shall be permitted to come; and such chief or officer having charge in his place at any fire, when in his judgment it is necessary, may call upon any person or persons present to assist the firemen in their duties, and any person neglecting or refusing to obey such call by said chief or officer, shall, upon conviction, be fined any sum not less than five nor more than twenty-five dollars.

SEC. 6. The chief of the fire department, during the progress of any fire, whenever in his judgment it becomes necessary to check or control the same, shall have the power to have any fence, building or erection of any kind cut down and removed; he shall, with

the consent of the mayor or superintendent of public safety, have power to cause any building or erection to be blown up with powder or other explosives, for the purpose of checking or extinguishing a fire. He shall also have the power, with the consent of the superintendent of public safety, to tear down any portion of any building that may be standing after a fire which, in their judgment, may be dangerous to person or property.

SEC. 7. All ordinances fixing the number, method of appointment, duties and salaries of the fire department are hereby repealed.

Passed February 18, 1911.

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### PROTECTION FROM FIRE.

AN ORDINANCE making regulations against danger from accidents from fire.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. No person shall cause or make a bonfire, or shall set fire or burn any hay, straw, shavings or other combustible materials in any street, alley, or public place within the limits of the city of Sioux City.

SEC. 2. The pipe of any stove which passes through any portion of the building in which the same is used, shall be at least two inches from any wood, and securely surrounded by some fire-proof material.

SEC. 3. No person shall keep ashes in any barrel, box or other wooden vessel, or on any wooden floor in any building.

SEC. 4. No person shall use any stove in any house or building, except the same stand on zinc or other non-combustible substance, of sufficient size to prevent any danger from fire; nor shall ashes be deposited in any house, cellar or building, except in a secure metal, brick, stone or other non-combustible receptacle.

SEC. 5. No person shall carry any lighted candle or lamp into any stable, building or other place where any hay, straw, hemp, cotton, flax, rushes, or other combustible material may be stored, unless the same be enclosed in a lantern.

SEC. 6. No person shall set fire to any hay, straw, chips, shavings, or other combustible matter, or make any bonfire within the streets, alleys, or public grounds, or in any lot within one hundred



feet of any building, without permission from the mayor, except upon his own premises.

SEC. 7. No person shall fire or set off any squibs, firecrackers, fireworks or gunpowder in any place within the limits of the city, except upon his own premises, unless by written permission of the mayor, limiting the time of such firing.

SEC. 8. No person, firm or corporation shall keep within the limits of this city in any storehouse, shop or other place, any gunpowder, blasting powder, giant powder, nitro-glycerine, in any quantity at any one time, exceeding twenty-five (25) pounds.

SEC. 9. That all substances mentioned in the preceding section shall be kept in the manufacturers' original packages, in tin canisters, and in all cases shall be properly labeled with the name of such substance, and shall be kept remote from fires, lighted lamps, candles, gas and other flames.

SEC. 10. No person shall sell, weigh, or dispose of any powder, between the times of lighting lamps in the evening and in the morning of the next day, except in covered tin canisters, labeled as aforesaid, and kept as provided in the preceding section hereof.

SEC. 11. No person shall stack any hay, oats, wheat, straw, or other grain or fodder, within a less distance than one hundred (100) feet from any house or other building in which fire is or may be kept, nor within one hundred (100) feet of any building or structure owned by the city, or another person, and not within one hundred (100) feet of his own house or other building, when such house or building is within one hundred (100) feet of any building or structure owned by the city or another person.

SEC. 12. No person shall cover, or continue to keep covered, any barn, shed, stable, or other structure or building with hay, straw, or stalks, which is within one hundred (100) feet of any building or structure wherein is kept or used, or may be kept and used, any fire.

SEC. 13. The chief of the fire department or other person appointed by him, shall, upon request of any citizen, examine all chimneys, flues, fireplaces, ovens, hearths, stoves and pipes, fixed boilers, in all buildings in the city, all places for the deposit of ashes, and all places where shavings or other combustible material from which danger by fire may be apprehended; and if he shall find any such defective or unsafe, he shall order the occupant of the premises where

the same is situated, to alter, repair, remove or abate the same, and if such order is not complied with after reasonable notice, he shall abate or remove the same, and the owner or occupant shall be liable for the cost of such removal or abatement in a civil action brought in the name of the city or the officer removing or abating the same.

SEC. 14. Any person violating any of the provisions of this ordinance or any section thereof, or refusing, failing or neglecting to comply with the same, shall, upon conviction thereof, be fined not to exceed one hundred dollars (\$100.00), or imprisonment not to exceed thirty (30) days.

Passed February 4, 1911.

### ELECTRIC WIRING.

AN ORDINANCE providing for the inspection and regulation of electric wiring.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. The city electrician for the city of Sioux City shall have general supervision over, and he is hereby authorized, empowered and directed to regulate and determine the placing, stringing and attaching of all telegraph, telephone or electric light and power, or other wires in said city, so as to prevent fires or accident, or injury to person or property, and to cause all such wires and all electric appliances to be so placed, constructed and guarded as not to cause fires or accidents or endanger life or property, and whenever in the judgment of the said city electrician any electric wire shall be defective, by reason of improper or insufficient insulation, or for any other cause, the said city electrician shall at once notify the owner, his agent or representative, of such defect and order him to repair or remove the same, and upon the owner's failure or refusal so to do within a reasonable length of time, the said electrician shall cause the repair or removal of the same, and the expense thereof may be recovered by the city in an action against the person, firm or company owning such wires.

SEC. 2. The said city electrician shall make a thorough inspection of all electric wires and appliances within the city of Sioux City, at least once in each year, if possible, and where wires, or appliances, are in dangerous or unsafe condition, he shall notify the

person, firm or corporation owning, using or operating them, to place them in a safe and secure condition.

SEC. 3. It shall be the duty of the city electrician to so direct the placing, stringing and attaching of wires upon the poles erected in the streets and alleys of said city that the same shall cause as little obstruction, either to travel in the streets or to the use and enjoyment of private property, as possible and to compel the joint use of poles wherever practicable.

SEC. 4. The said city electrician, or other competent person delegated by him, shall have the right, during reasonable hours, to enter any building, manhole, subway or premises in the discharge of his official duties, or for the purpose of making any tests of the electrical apparatus or appliances therein contained, or for that purpose he shall be given prompt access to all buildings, private or public, and to all manholes and subways, on application to the company or individual owning or in charge or control of the same.

SEC. 5. The chief of the fire department, or said city electrician, or a competent person delegated by them, or either of them, shall have the power to cause the removal of all wires and the turning off of all electric currents, where the circuits interfere with the work of the fire department.

SEC. 6. No alteration or change shall be made in the wiring of motors or other electrical devices, the voltage of which exceeds 48 volts, nor shall any building be wired for the placing of electric light, motors or other electrical devices where the voltage exceeds 48 volts, without first securing from the superintendent of public safety, or a competent person delegated by him, a permit therefor, nor shall any change be made in any electric plant after inspection without notifying the superintendent of public safety, or a person delegated by him, and securing a permit therefor.

SEC. 7. The city electrician and superintendent of public safety shall have the right and authority, and it is hereby made their duty, to fix the size, height, painting and designation of all poles, and to locate and change the location, when by them deemed necessary, of poles, wires, fixtures and electrical apparatus, to order out and remove poles which are unnecessary, and to compel the joint use of poles by all persons, firms or corporations stringing, using or requiring poles or wires along any street, alley or public place. In case said electrician and superintendent of public safety require any of

the above mentioned changes or joint use of poles, a written notice shall be served on the person, firm or corporation owning or using said poles or wires to make the required changes or joint pole arrangements within a specified time, and upon the refusal or failure to fully comply with said notice, the city electrician is hereby authorized and it becomes his specific duty, to make or cause to be made all of the changes, alterations or additions required in said notice. Provided, however, that the city electrician shall not incur an expense of more than \$200.00 in carrying out the provisions of any such notice without special order of the council. The city electrician shall keep an accurate account of all expense incurred in said work, which shall be paid for by the city out of the general fund, and be assessed by the city as a special tax against the person, firm or corporation for whom the work was performed, and collected by the city as other special taxes. In case the joint users of poles are unable to agree on the rental to be paid the owner of such poles for such use, the city electrician and the superintendent of public safety shall fix said rate, which shall be binding upon the parties or companies interested.

SEC. 8. When joint pole arrangements are required by the city electrician and superintendent of public safety, it shall be incumbent upon the person, firm or corporation required to make such arrangements to deposit with the department of public safety a written agreement among the parties thereto, stating in detail the contract rental, the size, height, number and location of poles affected by the agreement, and in case new poles are to be set, new cross arms, or other apparatus furnished, the agreement shall state by whom furnished and installed. This agreement must also state by whom all wires are to be transferred and old poles removed.

SEC. 9. No permit for joint poles may be issued until such agreement is deposited with the superintendent of public safety, which shall be held until all of said conditions are fulfilled. And upon the failure or refusal of any of the parties to this agreement to fulfill the terms of the agreement, the city electrician is hereby empowered, and it is expressly made his duty to transfer any wires, apparatus or fixtures, to remove any poles, or to make any other alteration, addition or change necessary to fulfill the conditions of the agreement.

SEC. 10. In case any telegraph, telephone, electric power or street car company, using poles placed in the public streets or alleys shall refuse or neglect to restore any sidewalk, gutter, street or alley pavement displaced in the erection, alteration, or removal of any pole of such company or refuses to place, remove or alter, or connect any such poles, wires or cross arms, as directed by the city electrician or superintendent of public safety after notice so to do from such department or electrician, then it shall be the duty of said electrician or superintendent of public safety to restore and repair such pavement or make such alterations and changes, or cause the same to be done, or remove such poles or wires. The city electrician or superintendent of public safety shall keep an accurate account of all expenses incurred in making such repairs, alterations or changes, and the same shall be paid for by the city out of the general fund, and be assessed by the city as a special tax and recovered from the person, firm or corporation for whom the work was done, as other special taxes.

SEC. 11. The city shall have the power to construct through the business portion of the city, subways and conduits for carrying electrical wires, and shall extend the same and maintain them in good condition, under the supervision of the superintendent of public safety and the city electrician; and such superintendent and electrician shall make all the necessary regulations and fix rentals for the use of such conduits, which when approved by the council shall govern the use of such subways.

SEC. 12. Fees for Permits, Issuing Permits. All companies, firms, co-partnerships, corporations or individuals (except public telephone, telegraph and messenger call companies, operating under a regular franchise granted by the city of Sioux City and already under bonds to the city of Sioux City), who desire to have electric wiring, electric fixtures, appliances or apparatus installed in or on any building (except central station, power house and sub-stations belonging to the electric light or street railway companies, operating under a franchise) shall procure a permit from the superintendent of public safety. The term "electric wiring" herein used is intended to mean the installation of electric wires, fixtures, appliances or apparatus, or the addition to any wire, fixture, appliance or apparatus used or to be used on or in any building for the purpose of transmitting electrical current for electric light, heat or power, gas

lighting system, house annunciators, burglar alarms, electric bells, electric signal system, private telephone, telegraph, messenger call system, lighting fixtures or installing electrical apparatus of any nature, kind or description.

In order to procure a permit for the installation of electric wiring, the said companies, firms, co-partnerships, corporations or individuals, shall, before having any electrical work commenced or any addition made to old wiring, make written application to the superintendent of public safety and shall pay the city treasurer the amount as required by the following schedule, which amount shall be certified to by permit clerk.

1. Permits. Permits must be taken out for all electrical work installed where voltage exceeds forty-eight volts. Where fixtures and other apparatus are taken out to be repaired, report of the re-installation must be made to the superintendent of public safety within twenty-four hours. When any wiring or apparatus shall be installed in such a manner that the same could be used for electric light or power purposes under the provision of this ordinance, it shall be deemed that the said wiring or apparatus is to be used for such purposes and permits shall be required and inspections made as provided for such. Before the voltage can be raised on any existing system of wiring, it must be re-inspected, notwithstanding a permit or certificate of inspection having been given for the same system on lower voltage.

2. From one to ten outlets for new work, the sum of \$1.00 will be charged. For each additional outlet, \$.10.

3. Addition to old work for one to five outlets, \$.50; for each additional outlet, \$.10. If for any reason, after a permit is issued, it is necessary to install additional outlets, a fee as in addition to old work will be charged, if work on original permit has been inspected.

4. Motors and Generators. For electric motors, two (2) horsepower or less, \$.50, and \$.25 for each additional horsepower; for electric generators used for light or power purposes, including switchboard and connections from generator, 2 kilowatts or less, \$.50, and \$.25 for each additional kilowatt. When motors are changed where new wiring is not installed for same, a fee of \$.50 will be charged. Rectifiers will be classed as motors in procuring permits.

5. Electric Signs. For each electric sign a rate of \$1.00 will be charged where the total number of lamps used does not exceed thirty, and \$1.00 per hundred or part thereof in excess of thirty. Two sockets in a transparency will be classed as one outlet in procuring a permit, more than five sockets in a transparency will be classed as a sign.

6. Outlining. In outlining where sockets are installed within eighteen inches of each other, three sockets will be classed as one outlet in procuring permit. Where outlining is installed on portable signs, permits must be taken out as in sign work.

7. Ceiling Fans. Where wiring is installed for ceiling fans a permit fee of \$.50 will be charged for first ceiling fan and \$.25 for each additional fan installed.

8. Arc Lights. For one or two arc lights \$.50 will be charged, for three arc lights and not more than four, \$.75; for each arc light in excess of four, each, \$.25. This rate to be for arcs either connected to old outlets or when new installations are made. Vapor lamps, X-ray and spark coils will be classed as arc lights in procuring permits.

9. Nernst Lamps. All one and two glower Nernst lamps will be classed as one outlet as in incandescent wiring. Two Nernst lamps of three and four glowers will be classed as one arc light. One Nernst lamp of six glowers will be classed as one arc light.

10. Fixtures. \$.25 will be charged for first fixtures and \$.10 for each additional fixture installed. Three cord drops or part thereof will be classed as one fixture.

11. Window reflectors will be classed as outlining and not as fixtures in procuring permits.

12. Temporary Wiring. Temporary wiring fees will be one-half regular fees with no charge for fixtures attached thereto.

13. When fixtures are taken down to be repaired permits must be taken out to re-install same.

14. Regular fees will be charged where wiring is changed for insurance purposes.

15. All permits must be taken out before work is started and immediately upon completion, notification for inspection must be made in writing. If telephone order is sent in, confirmation in writing must immediately follow. The inspection department will not be held responsible for delay in inspection on telephone order.

For a permit to cover any and all wiring done by an electrician holding an electric license known as "electrician's license" in any building or single plant as may be under one ownership or management on such plant or boundaries as definitely specified under the permit, an annual fee of \$15.00 will be charged. A monthly inspection shall be made of the installation covered by this permit. The inspector making this inspection shall sign the original permit after each inspection, provided the work is in accordance with the rules as specified by this ordinance.

For inspecting apparatus for which no fee is herein prescribed the city electrician shall charge \$2.00 for the first hour, or part thereof, and \$1.00 for each additional hour, or part thereof, engaged in making the inspection. When any addition or any change is made to work that a certificate has been issued on, where a permit was not issued for the addition, the original certificate shall be cancelled and the regular fee charged for the re-inspecting of the original work and the additional work.

SEC. 13. Certificates of Inspection, Issuing. On the completion of the work covered by a permit in accordance with the rules of this ordinance, and to the satisfaction of the city electrician, said city electrician shall issue a certificate of inspection. In this certificate, said city electrician shall certify that the work is in accordance with the rules governing the respective class to which it belongs, as specified by this ordinance. Whenever a permit is issued for an addition to old work which does not conform to the rules as laid down in this ordinance, the city electrician shall issue a statement that the new work complies with the rules, but that a certificate cannot be issued owing to its connection with the old work, which does not comply with the rules.

SEC. 14. Certificates of Inspection, Refusal to Issue, Inspection of Old Work. The superintendent of public safety is hereby given the authority to refuse to issue a permit for any addition, or any extension to any wiring system in or on any building, where in his estimation the wiring is in an unsafe condition. If, after a permit is issued, the work for any reason, covered by this permit, or any old work in the building not covered by this permit, does not comply with the regulations of this ordinance, the city electrician may refuse to issue a certificate of inspection, and all owners of buildings, all electric light, heat and power companies are notified not to have con-



nections made, nor to connect to any building without having a certificate of inspection or written permission from the city electrician if the work is of a class considered reasonably safe, but which is not entitled to a certificate of inspection.

Upon the application of any individual, the city electrician shall inspect, or cause to be inspected, any old wiring or electrical apparatus in any building within the corporate limits of the city of Sioux City, upon the payment of the fee covering such work, and shall thereupon issue a certificate if the work is absolutely in accordance with the provisions of this ordinance. In case this work does not comply with the ordinance, he shall issue a written statement as to the changes necessary to bring the work up to the standard. Under no consideration shall a certificate be issued on work that is concealed in such a manner that it cannot be examined.

SEC. 15. Certificates of Inspection, Light Companies Must Have Certificate Before Connecting, Light Companies Must Obtain Permit to Wire, Light Companies Shall Disconnect Upon Request. It shall be unlawful for any electric light, or heat and power companies to do any wiring of any nature in or on any building (except power houses and sub-stations of electric light, heat and power companies operating under a franchise granted by the city of Sioux City) for which a permit has not been issued, or to make any electrical connections to any building until a certificate stating that the wiring has been approved, has been issued by the city electrician. All firms, corporations or individuals, whether operating under a regular franchise granted by the city of Sioux City, or not, shall, upon written notice from the city electrician, disconnect, from any circuit as designated by said notice, and shall not re-connect said circuit except upon written notice from the city electrician.

SEC. 16. Furnace Work Completed Before Wiring is Finished, Gas Fitting Completed Before Wiring is Finished, Licenses Necessary For All Wiring, Label Showing Wiring is Approved on Service Switch, Lathing is Forbidden Until Wiring is Approved, Sealing or Wiring Forbidden Until Approved, Steam Fitting in Place Before Completing Wiring. It shall be unlawful for all owners, contractors, or workmen, not licensed electricians, or their helpers, to in any manner interfere with any electric wiring in or on any building in any manner whatsoever. If in any case the wiring is in such a position as to interfere with the completion of the building as called for by the

plans, the wiring contractor must be notified to have it changed. No wood or metal work is to be placed within one inch of any electrical conductor. On inspecting the electrical wiring of any building, the city electrician or his qualified representatives, shall leave a notice in the form of a tag or label attached to the service switch. This notice shall clearly state that the work has been passed upon by the electrical inspection department, and no workman shall lath, seal or in any manner conceal any electrical wiring until they know positively that it has been passed upon. The city electrician must in all cases inspect, or cause to be inspected, by a qualified representative, all electric wiring within the corporate limits of the city of Sioux City, within 48 hours of the receipt of notice from the electric wiring contractor that the work is completed (holidays and Sundays not included in this time). All steam fitting, furnace work, gas fitting and telephone wiring which is to be concealed, must be in place before the electric wiring is completed, and no wiring will be considered as completed until the work above referred to is in place.

SEC. 17. Architects and Builders, Instructions as to Channeling, Provisions for Plans, Pocketing. Architects and builders are required, when drawing plans and specifications, to make provisions for channeling and pocketing of buildings for electrical conductors as may be required by the city electrician, and to state definitely in such specifications, and mark on such plans, the location of all switches (except main line and cut-out) and state the maximum number of lamps at each outlet, providing such plans and specifications are in accordance with the rules and requirements of this ordinance.

Architects and builders are required to furnish such plans and specifications of proposed work as may be deemed necessary by the city electrician before any permit for the same shall be issued.

SEC. 18. Annual License to Electricians, Bond. That all companies, firms, corporations or individuals (except public telephone, telegraph and messenger call companies operating under the regular franchise granted by the city of Sioux City) engaged in the business of running or installing electrical wires or conductors inside of any building within the corporate limits of the city of Sioux City (except central stations, power houses, sub-stations or car barns) for the purposes of transmitting electrical currents for electric light, heat or power, gas light systems, house annunciators, burglar alarms,

electric bells, electric signal systems, private telephone, telegraph or messenger call systems, lighting fixtures or installing electrical apparatus of any nature, kind or description, shall first procure from the superintendent of public safety, upon recommendation of the city electrician, a grant for a license of such class as pertains to and regulates such installations, or grade of electrical work thereof; provided, that before such a recommendation shall be given to the city electrician, the company, firm, corporation or individual applying for said license shall pass a satisfactory examination before the city electrician.

Provided, further, that before such license be granted said company, firm, corporation or individual, there shall be deposited with the city treasurer, the amount hereinafter stated as payment for the particular class of license required; and,

Provided, further, that before such license shall be issued in case where a bond is required, the said firm, corporation or individual to whom the license may be issued, shall give bond to the city of Sioux City, in the sum or amount hereinafter provided and required for said grade of license, conditioned that they will, in good faith perform all things required of them under the provisions of this ordinance.

SEC. 19. Inspect New Wiring, Notifications, Licenses, Grading of Licenses. No alteration or change shall be made in the wiring of any building, nor shall any building be wired for electric lights, motors or heating devices, nor any other electrical apparatus of whatever character, nor shall any electrical apparatus be installed without first securing from the superintendent of public safety, a written permit thereof, as provided in section 12 of this ordinance. When any alterations or changes are made in the wiring of any building, or any new wires or electric apparatus are installed, it shall be the duty of the company, firm, corporation or individual doing or having such work done, to notify, in writing, the city electrician immediately after completing said work, that the work is ready to inspect. On receipt of the notice, the city electrician shall inspect said work and issue a certificate when it complies with all the rules governing work of the class under which it belongs. On business blocks, hotels, apartment houses, an inspection will be made of different sections of the work at the discretion of the inspection department, in order

not to delay the other work in connection with the construction of the building.

Licenses of three different grades will be issued under the head of "electric wiring licenses."

1. Contractors' license known as grade A.
2. Contractors' license known as grade B.
3. Electricians' license known as grade C.

SEC. 20. Grade A License. Electrical license known as "grade A" shall grant the holder thereof the right and privilege to contract for the installation, or to himself install (provided he has himself passed the required examination for grade C license) electric wires for the transmission of electric energy for the purpose of electric light, heat and power, or any electrical apparatus of whatever nature. The annual fee for electrical license, "grade A," shall be for the sum of \$50.00, and the bond for said license shall be for the sum of \$1,000.00, said fee to be paid and bond to be executed as provided in section 18 of this ordinance.

SEC. 21. Grade B License. License known as electric license "grade B" shall grant the holder thereof the right to contract for the installation in any building within the corporate limits of the city of Sioux City, electric wires or conductors, and the apparatus connected thereto for the purpose of house annunciators, electric bells, burglar alarms, private telephone, telegraph and messenger call system, gas lighting system, or any apparatus of whatsoever character; provided, that in no instance shall the maximum difference of electrical potential between the two points of said system exceed forty-eight (48) volts. The annual fee for electrical license, "grade B," shall be the sum of \$10.00, and the bond for said license shall be the sum of \$500.00, said fee to be paid and the bond to be executed as provided in section 18 of this ordinance.

SEC. 22. Grade C License. The electrical license known as "grade C" shall apply to journeymen electricians and grant the holder thereof the right to install or make additions to any wiring, when employed by an electrical contractor holding "grade A" license, or to change or care for isolated plants, dynamos, motors or other electrical apparatus of any capacity connected thereto; and, provided, that said right and privilege shall be confined to such buildings or single plant as may be under one management or ownership or such plant or boundaries as are definitely specified in each license as issued under

this class; provided, the annual fee for said license "grade C" shall be \$1.00, and the bond for said license shall be the sum of \$100.00, said fee to be paid and the bond executed as provided by section 18 of this ordinance.

Any person applying for a "grade C" license must pass an examination given by an examining board consisting of the superintendent of public safety, city electrician, city engineer and two licensed electricians.

SEC. 23. Licenses Granted For One Year. All licenses or certificates of examination shall be granted to the beginning of fiscal year and thereafter, for the term of one year, and the superintendent of public safety may require a re-examination before the renewal of any expired license or certificate of examination granted under the recommendation of the city electrician.

SEC. 24. Decision to Be Made by City Electrician. The city electrician shall decide all questions not provided for in this ordinance, pertaining to the installation of electric wires and apparatus.

SEC. 25. City Electrician to Make Technical Regulations. The city electrician shall be deemed the sole judge of what constitutes the proper installation and the safe insulation of electric conductors and appliances within buildings, and is hereby authorized to make such rules and regulations of technical nature as may be deemed necessary to make such conductors and appliances as safe as possible.

SEC. 26. Inventory of Poles, Etc., National Electrical Code. Whenever the city electrician shall request any company, firm, corporation or individual operating electrical or other wires upon, over or under any street, alley or building, they shall, within fifteen days, furnish an accurate and detailed statement of the number and location of its posts and poles, the number of cross arms on each and the number of wires thereto attached, and the location of all subways and manholes, which statement shall particularly specify full information of its methods of operating such wires. It shall be the duty of the city electrician to post and keep at his office for general distribution, a list of all approved electrical fittings at the beginning of each year, and also pass upon electrical apparatus that may be submitted for his approval; provided, that the list of electrical fittings, as published and approved by the National Board of Fire Underwrit-

ers, and known as supplement of the "National Electrical Code," shall at all times stand as approved.

The National Code of Underwriters' Rules, their additions, extensions and supplements shall be included in this section of this ordinance.

Said rules shall always govern the installation of electrical wires and apparatus within the city of Sioux City.

SEC. 27. Excavation Ordinances, Not to Conflict With. Nothing herein contained shall be construed as granting permission for excavations in the streets, alleys or sidewalks or other public grounds of the city without full compliance with all laws and ordinances of the city of Sioux City, covering excavations in the streets and other public grounds.

SEC. 28. Accidents, Supervision for the Prevention of. The city electrician is hereby authorized, empowered and directed to have general supervision over the placing, stringing or attaching of telegraph, telephone, electric light or other wires, so as to prevent fire, accident or injury to persons or property, and to cause all such wires and electric lights to be so placed, constructed and guarded as not to cause fire, accident or endanger life or property and any or all of such lights and such wires or electrical apparatus now existing, as well as those hereafter constructed and placed, shall be subject to such supervision. And whenever any electrical wire or other piece of electrical apparatus is or shall become defective, by reason of improper or insufficient insulation, or for any other cause become dangerous, the said city electrician shall at once notify the owner or agent of said wire or electrical apparatus to repair or remove the same, and upon the owner's failure to repair or remove the wire within twenty-four hours' time, the said city electrician shall cause said wire or apparatus to be removed or repaired at the expense of said owner or agent, and the said owner or agent shall be fined the sum of \$5.00 for each and every day until the cost of repairing said wire or apparatus shall have been paid for.

SEC. 29. Disconnect Upon Request During Fire, Etc. Every company, firm, co-partnership, corporation or individual owning or controlling electrical wires and apparatus for the transmission of light, heat or power, shall, in time of fire, or in case of severe storm, wherein the lives or property of the citizens of the city of Sioux City may be endangered by the operation of such wires and apparatus,

upon the request of the city electrician, the mayor, or the chief of the fire department, disconnect such wires as are designated by the said officials. Such company, firm, corporation or individual neglecting to comply with such request shall be fined the sum of not less than \$50.00 or more than \$100.00 for each and every hour said request is not complied with.

SEC. 30. Overhead Wires, Distance From Building of. The city electrician may designate, in said city, the distance between the overhead electric wires, cables or conductors of any company, firm, corporation or individual, and those of any other company, firm, corporation or individual, and may regulate the direction in which said wires, cables or conductors shall be run for any purpose, from a fixture upon any building or the point of entering any building for service; and any company, firm, corporation or individual owning, operating or maintaining any wires, cables or conductors over any building in said city, shall, notwithstanding any agreement to the contrary, keep such wires, cables or conductors at least eight feet above the highest part of the roof of said building, as the roof may be at the time of placing wire, cable or conductor, or as it may be hereafter at any time raised by the owner thereof, and shall keep and maintain any construction placed upon any building for the support of any wire, cable or conductor, to the satisfaction of the city electrician. He shall also specify the height from the ground of all overhead wires carrying electric current.

SEC. 31. Annual Inspection of Public or Isolated Plants. It shall be the duty of the city electrician to inspect all public and isolated electric light plants now in operation in the city, or hereafter installed, once in each year, or oftener if application is made by the owners of such plant, and he shall see that any dangerous or defective machinery, wires or appliances are removed or remedied immediately at the expense of said owner or agent.

SEC. 32. Removal of Dead Wires or Unused Poles. It shall be the duty of the city electrician to cause all dead wires, unused poles or electric apparatus on the outside of buildings, or in streets or alleys, to be removed at the expense of the owner of said wires, poles or apparatus, by giving the said owner, or owners, or their agent, ten days' notice, and if the owner, or owners, or their agent, fail or neglect to remove the same within ten days after the notice has been given, said owner or owners, or their agent, shall be subject

to a penalty of \$10.00 for each and every day said wires, poles or apparatus are permitted to remain up.

SEC. 33. Old Wires, Renewal of. The city electrician, or other person or persons in charge of said department, shall condemn and notify the owner, or owners, or their agent, to renew the old wire with new, where such wire or wires have become defective and dangerous to life or property.

SEC. 34. Annual Inspection of Overhead Wires. The city electrician or other person or persons designated by him, shall make a thorough inspection of the lines of all companies owning wires in the city, at least once in each year, and where such wires are in dangerous condition, shall notify the company owning, using or operating them, to place them in safe and secure condition forthwith. Any company failing or refusing within forty-eight hours after such notice to make the necessary repairs or changes, and have said work completed within ten days after the receipt of such notice, shall be subject to a penalty of \$10.00 for each and every day until such wires are repaired or changed as directed by the city electrician or person in charge of said department.

SEC. 35. Unused Coils and Ends in Street. No company, firm, co-partnership, corporation or individual shall permit pieces of wire to be left on the surface of the streets or sidewalks, nor permit unused coils or loose ends of wire to remain attached to any cross arm or posts more than twenty-four hours.

SEC. 36. Permit Clerk, Reports. The superintendent of public safety is hereby authorized to appoint a permit clerk and such assistants to the electrician as may be necessary to carry on the work of the electrical inspection department. The city electrician shall, on or before the fifth day of each month, make a written report to the superintendent of public safety showing all permits issued, work inspected and fees collected by him during the preceding month.

SEC 37. Liability of City of Sioux City, Iowa. This ordinance shall not be construed to relieve from or lessen the responsibility of any person or persons, co-partnership or corporation, owning, operating or installing any electrical wires, appliances, apparatus, construction or equipment for the damage to any one injured by any defect therein; nor shall the city of Sioux City, or any agent thereof, be held as assuming any such liability by reason of the inspection



authorized herein, or the certificate of inspection issued by the city electrician.

SEC. 38. Penalties For Disregarding Chapter. Any person, firm or corporation violating or disregarding any of the provisions of this chapter, or any of the rules or regulations herein contained, where a definite penalty is not hereinbefore provided for, shall, upon conviction, be fined in the sum of not less than three dollars (\$3.00) nor more than two hundred dollars (\$200.00).

SEC. 39. The city electrician shall keep a full and complete daily report of all work, examinations made or other official work performed, as required by this ordinance, and shall annually make a full and detailed report thereof to the superintendent of public safety.

SEC. 40. The fees or money collected as herein provided shall be paid to the city treasurer, and shall be by him set apart as a fund for the maintenance of the electrical inspection department.

SEC. 41. All ordinances or part of ordinances in conflict herewith are to the extent of that conflict hereby repealed.

SEC. 42. This ordinance shall be in effect from and after its passage and publication in the manner provided by law.

Passed December 24, 1910.

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## WINDOW DECORATIONS.

AN ORDINANCE forbidding the use of certain specified materials for store and store window decorative purposes and providing for fire inspection of stores and mercantile houses by the chief engineer of the fire department.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION. 1. The use of cotton batting, cotton goods and other readily inflammable material by the owner or proprietor of any store or mercantile house for decorative purposes is hereby forbidden.

SEC. 2. No decorative lights of any character shall be placed closer than six inches to any decorative material and vice versa.

SEC. 3. It is hereby made the duty of the chief engineer of the fire department, who may appoint as many of the members of the said department to assist him as may be necessary to carry out the provisions of this ordinance, to inspect all stores and mercantile houses within the fire limits of the city of Sioux City, at least once every

thirty days, for the purpose of ascertaining whether the provisions of this ordinance are being violated and if the chief engineer or his inspectors shall find that it is being violated, he shall at once notify the owner or proprietor to remove all such decorations, which shall be done immediately.

SEC. 4. The said chief engineer and such member or members of the fire department as he may appoint inspectors, shall have the right to enter any store or mercantile house for the purpose of examining the premises in order to ascertain whether the disposition of merchandise, the accumulation of papers, waste, boxes, or other inflammable material therein is such as to be dangerous on account of the possibility of fire, or dangerous or obstructive in the event of fire, and if such condition is found to exist in the judgment of the chief engineer he shall at once notify the owner or proprietor of the premises to that effect, and such owner or proprietor shall remedy the evil.

SEC. 5. The said chief engineer and such member, or members, of the fire department as he may appoint inspectors shall also have the right to enter any building within the fire limits for the purpose of ascertaining whether it is, by reason of its structural arrangement, dangerous and a menace to life and property on account of fire, and if in the judgment of the fire chief engineer a building is dangerous in that respect, he shall at once report the fact, with his reasons, to the city council. The council shall act upon such report immediately and if in its judgment the condition should be remedied, it shall immediately notify the owner or proprietor of the building to remedy the evil, and he shall immediately comply therewith.

SEC. 6. Any person, firm or corporation violating any of the provisions of this ordinance or neglecting or refusing to promptly comply with any notice referred to herein shall, upon conviction, be liable to a fine of not less than ten dollars nor more than one hundred dollars for each and every offense.

SEC. 7. This ordinance shall be in effect from and after its adoption and publication in the manner required by law.

Passed January 17, 1905.

**INFLAMMABLE OILS AND SUBSTANCES.**

AN ORDINANCE in relation to the manufacture and storage of certain inflammable oils and substances.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person, firm or corporation shall manufacture or establish a manufactory within the fire district of the city of Sioux City for the purpose of making, or in any manner refining or generating coal or earth oils, petroleum, kerosene, camphor, carbon, benzine, naphtha, burning fluid, or other inflammable substances.

SEC. 2. No person, firm or corporation shall keep in store, in any building or place within the fire district, aforesaid, a greater amount of the above named materials, or other inflammable substances, than five barrels at any one time.

SEC. 3. No person, firm or corporation shall manufacture, or establish a manufactory for the purpose of manufacturing or generating any of the before mentioned substances, or any other inflammable substance, within the corporate limits of the city, without first obtaining the consent of the city council.

SEC. 4. No person, firm or corporation shall keep in store, in any one place or building, within the corporate limits of the city, and without the fire district aforesaid, a greater amount of the before mentioned substances than that specified in section 2 of this ordinance, without first obtaining the consent of the city council.

SEC. 5. Any person, firm or corporation violating any of the provisions of this ordinance, or any section thereof, shall, upon conviction thereof, be subject to a fine not exceeding one hundred dollars for each offense, and each and every day that any of said articles or substances are made and stored contrary to the provisions of this ordinance, shall be deemed a new and distinct offense, and it is hereby made the duty of the marshal and chief engineer of the fire department of the city to make information against any person violating any of the provisions herein contained.

SEC. 6. All ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Passed June 12, 1882.

**POLICE DEPARTMENT.**

AN ORDINANCE fixing the number, method of appointment and duties of the police department.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. The city marshal shall be ex-officio chief of police.

SEC. 2. The police department of the city of Sioux City shall consist of not more than 58 members, including the chief of police, three (3) captains, six (6) detectives, three (3) desk sergeants, one (1) matron, one (1) secretary, one (1) humane officer, one (1) janitor, one (1) electrician, one (1) chauffeur, and four (4) patrol drivers.

SEC. 3. All appointments to the police department, except the chief of police, shall be made by the superintendent of public safety and must be selected from the list certified to the council by the civil service commission.

SEC. 4. The salaries of all members of the police department shall be fixed by the council.

SEC. 5. The duties of the members of the police department shall be to preserve peace, enforce the state laws, city ordinances and orders of the city council and they shall at all times be subject to the rules and regulations made by the superintendent of public safety and chief of police, regarding their conduct, promotions and classifications.

SEC. 6. All ordinances fixing the number, method of appointment, duties and salaries of the police department are hereby repealed.

Passed February 18, 1911.

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**PROCEEDINGS IN POLICE COURT.**

AN ORDINANCE regulating the proceedings in the police court of the city of Sioux City.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all proceedings, prosecutions and actions to recover any fine, penalty or forfeiture, or for the punishment of offenses under and by reason of any violation of any of the ordinances

of the city of Sioux City, shall be had in the name of the state of Iowa, for the use of the city of Sioux City.

SEC. 2. All actions and proceedings of a criminal nature arising under the laws of the state of Iowa and triable in said court, or upon preliminary examinations had therein, shall be in the name of the state of Iowa.

SEC. 3. Said police court has exclusive jurisdiction to try and determine all offenses and actions arising by reason of any ordinance of said city.

SEC. 4. All actions of a criminal nature had in such court arising under any of the criminal laws of the state, shall be heard in said court in the same manner as those actions are heard and determined before justices of the peace, and all the procedure, process and practice in said court upon the hearing of any such action, so far as practicable, shall be the same as those provided by law for justices of the peace.

SEC. 5. Upon the trial of any criminal action arising under any of the criminal laws of the state of Iowa, or upon any preliminary examination, the defendant is entitled to a change of venue upon a proper showing therefor, and is entitled to all the rights and privileges granted said defendants by law as when said actions or examinations are pending before any justice of the peace.

SEC. 6. All process issued from said court shall be attested by the clerk thereof with the seal of said court affixed; shall be directed to the marshal or to any police officer of the city, or to any peace officer of the state, who is required to execute and return the same as by law provided.

SEC. 7. The city marshal is required by himself or deputy to attend all sessions of said court and to execute and return all process to him issued therefrom.

SEC. 8. Actions in said court are commenced by the filing therein of a preliminary information sworn to by the person making the same before the judge of said court, attested by the clerk thereof with the seal of said court affixed.

SEC. 9. Whenever any offense arising under any of the ordinances of the city or criminal laws of the state shall be committed within the immediate view of the marshal or any policeman of the city, the offender may be arrested without warrant and taken before

said court at its next session and an information filed by the person making the arrest and a warrant issued as in other cases.

SEC. 10. Appeals and all proceedings for collection of any judgment subsequent to the rendition thereof shall be the same as is prescribed by law, in cases of like character before justices of the peace, except that transcripts of all judgments issued from said court shall be issued by the clerk thereof attested by the seal of said court.

SEC. 11. All judgments for fines and fees taxed against any person, when unpaid at the time of the rendition thereof, shall be collected by the marshal upon execution issued to him from said court.

SEC. 12. The clerk shall tax the same fees upon any preliminary examination or trial of any criminal action under the laws of the state as are taxed before justices of the peace in like cases, except that those taxed as marshal's fees shall be the same as sheriffs are entitled to receive for similar services.

SEC. 13. All fees and fines collected in said court during each month, shall be by the officer receiving the same paid over to the city treasurer, and his duplicate receipts taken therefor, one of which, with the sworn statement of the officer paying the same, shall be filed with the city auditor.

SEC. 14. It shall be competent for the city solicitor to dismiss any action or proceedings instituted in this court by and in behalf of the city.

SEC. 15. It shall be the duty of the city solicitor to prosecute all cases brought on behalf of the city where the defendant pleads not guilty.

SEC. 16. In case any defendant convicted in said court is imprisoned for non-payment of any fine, such imprisonment shall not satisfy such fine, or any part thereof, except as provided by law.

SEC. 17. The records to be kept in said court shall be a general index, a journal and a judgment docket, which shall be kept in the usual manner in which such books are kept in other courts of record, and shall, so far as practicable, show the same particulars. All papers filed in said court shall refer to the case in which it is filed, and all records shall in like manner set forth the number and title of the case with reference to which said record is made.

SEC. 18. No person having been arrested shall be released from custody before trial, unless a bond or recognizance has been executed for his appearance at the time set for the hearing of the cause for

which he was arrested, which bond shall in all cases be approved by the police judge or clerk of the police court.

SEC. 19. The city marshal shall have charge of the city prison and the persons incarcerated therein. When any person is convicted before said court of a violation of any of the ordinances of the city, said marshal shall see that the judgment of said court thereon is carried out and obeyed.

SEC. 20. The police judge may, upon conviction of any person for the violation of any city ordinance, direct that said person be imprisoned not exceeding the term prescribed in the ordinance for a violation of which said conviction is had, and during said term or for such length of time as he may deem proper; said judgment may direct that he fed on bread and water only. Such persons, if fined in any amount, and the fine remains unpaid, may be required to perform labor, not exceeding eight hours in any one day, and not exceeding one day for each three and one-third dollars of said fine. Should any person refuse to perform such labor, it shall be the duty of the marshal to report the same to the police judge, who may order that said person be fed on bread and water only for such time as he shall deem proper, and the time he is so fed shall not be considered as any part of the time for which he was confined, nor discharge any part of the fine imposed. To persons performing such labor there shall be credited to him upon said fine the sum of one dollar and fifty cents for each and every day's labor performed by him. The marshal shall see that all orders with reference to fare and food for such persons so convicted are carried out, and that the amount of labor in lieu of fines is performed, and should any person attempt to escape he may confine him with ball and chain to prevent the same.

SEC. 21. Whenever any person shall fail to pay any fine imposed, or when any person shall be sentenced by said court to be imprisoned, a commitment shall issue from said court to said marshal, who shall cause the same to be obeyed, and make due return thereof, and when the term of any imprisonment has elapsed, he shall release said prisoner, keeping a record thereof in the prison register. Upon receiving any commitment from the police court, said marshal shall enter in said register the number of days of imprisonment imposed, the character of service imposed; also any oral order or direction of the court with reference to said prisoner, and when said

prisoner is discharged he shall return said commitment into court with a return of his doings thereon, showing that the orders of the court have been carried out in full.

SEC. 22. All policemen and watchmen, having arrested any person for any violation of any ordinance of the city, or laws of the state, shall attend and be present at the next session of said court, and while so present shall be subject to the orders of the court with reference to all business before it.

SEC. 23. When any person is bound over by said court, upon preliminary examination, to the district court, to await the action of the grand jury of Woodbury County, it shall be the duty of the marshal, or any member of the police force to whom the commitment shall be delivered, in case the bond fixed by said court is not given, to convey the prisoner to the county jail and make due return thereof to said court.

SEC. 24. All ordinances heretofore passed, in conflict with the provisions of this ordinance, are hereby repealed.

SEC. 25. The marshal, deputy marshal and police officers of the city, who shall wilfully fail to do and perform the duties and orders of the police judge, made in open court, in reference to any business before it, shall be deemed guilty of a contempt of said court, and may be punished as by law provided.

SEC. 26. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed February 11, 1911.

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## CONVICT LABOR.

AN ORDINANCE providing for additional penalties for the violation of city ordinances.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That any able bodied male person over the age of sixteen years, and not over the age of fifty years, who is convicted of the violation of any city ordinance, punishable by fine and imprisonment, or either, may be sentenced to hard labor, under the direction of the city marshal, in any part of the city directed, not to exceed eight hours per day, until his sentence of imprisonment has expired, or until the judgment against him for fines and costs has



been paid; but said imprisonment at hard labor shall not in any case exceed thirty days.

SEC. 2. For every day's labor performed under the provision of this ordinance by any convict, there shall be credited on the judgment for fines and costs against him, the sum of one and 50-100 dollars, and the term of his imprisonment shall not exceed one day for every three and one-third dollars of the imposed fine.

SEC. 3. If any convict attempts to escape while going from or returning to the city prison, or while at labor, or at any time, or if he refuses to labor, the officer having him in charge may, to secure such person or to cause him to labor, chain and secure him, or cause him to be kept in solitary confinement not more than ten days for any one offense, and during such confinement he may be fed with bread and water only, unless other food be necessary for the preservation of his health. Such punishment for refusal to work shall be within the city prison or prison enclosure, and shall not be considered any part of the time for which the prisoner is sentenced.

Passed April 13, 1886.

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### VAGRANCY.

AN ORDINANCE providing for the punishment of vagrancy.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That whoever is convicted of the crime of vagrancy shall be punished by fine not to exceed one hundred dollars (\$100) and costs, or by imprisonment not to exceed thirty days, or the magistrate before whom he is brought may require of such person an undertaking, with sufficient surety, for good behavior for the term of one year thereafter.

SEC. 2. Any able bodied male person over the age of sixteen years, and not over the age of fifty years, convicted of being a vagrant, may be sentenced to hard labor, under the direction of the city marshal, in any part of the city directed, not to exceed eight hours per day, until the sentence has expired, or until said fine and costs have been paid; but said imprisonment shall not in any case exceed thirty days. For every day's labor performed by any convict under the provisions of this ordinance, there shall be credited on the judgment for fine and costs against him, the sum of one and 50-100 dollars, and the term of his imprisonment shall not exceed one day for every three and one-third dollars of the fine imposed.

SEC. 3. If any convict attempt to escape while going from or returning to the city prison, or while at labor, or at any time, or if he refuses to labor, the marshal having him in charge, after due inquiry to secure such person, or to cause him to labor, may chain and secure him, or cause him to be kept in solitary confinement, not more than ten days for any one offense, and during such confinement he shall be fed with bread and water only, unless other food be necessary for the preservation of his health. Such punishment for refusal to work shall be within the city prison or prison enclosure, and shall not be considered any part of the time for which the prisoner is sentenced.

Passed April 13, 1886.

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### PUBLIC SAFETY.

AN ORDINANCE to provide for public safety, peace and good order, and protection of property.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. It shall be unlawful for any persons other than the chief of police and duly appointed and acting policemen to wear or display any policeman's star or other badge tending to designate the wearer as being a policeman, within the limits of the city.

SEC. 2. No person shall throw, cast, lay or place on any sidewalk in the city, the rind or peel of any orange, banana, apple or other fruit.

SEC. 3. No person shall inhumanly beat, injure or abuse any dumb animal, nor allow the same to be upon the public places of the city without food and drink for the space of four consecutive hours.

SEC. 4. No person shall, within the limits of the city, wear under his clothes, or concealed about his person, any pistol, revolver, slung-shot, cross-knuckles, knuckles of lead, brass or other metal, or any bowie-knife, razor, billy, dirk, dirk-knife, or dagger, or any knife resembling a dirk-knife, bowie-knife or other dangerous weapons. Provided, that this section shall not be so construed as to prevent any United States, state, county or city officer or officers, or member of the city government, from carrying any such weapons as may be necessary in the proper discharge of his official duties.

SEC. 5. No person shall, in any public place within the city, fly

a kite or indulge in any sport liable to frighten horses, or obstruct or interfere with the passage of vehicles or pedestrians.

SEC. 6. No persons shall push, draw, lead or ride or drive any horse, wagon, sleigh, wheel-barrow, bicycle or other vehicle upon any sidewalk unless it be in crossing the same to go into any yard or lot, which shall be done on a walk, or for the purpose of unloading such vehicle, provided, that bicycles may be pushed by hand over, upon and across sidewalks where the same can be done so as not to interfere with the traveling public.

SEC. 7. No person shall drive upon and leave any carriage, wagon, cart, sleigh, or other vehicle, with or without horses attached thereto, standing across or upon any sidewalk or cross-walk, nor shall hitch any team so as to obstruct the free use of the same, nor drive any team through any funeral procession in such a manner as to disturb the same.

SEC. 8. No person shall discharge any gun, pistol or other firearm, except upon his own premises, and there only in proper and necessary cases. Provided, that this section shall not apply nor be so construed to prevent any United States officer, state, county or city officer from discharging any firearm in the execution of his duties as an officer.

SEC. 9. No person shall leave or keep open any cellar door or grating of any vault, on any highway or sidewalk, or suffer the same to be left or kept open, or suffer any sidewalk in front of his or her premises to become or continue so broken as to endanger the life or limbs of any person.

SEC. 10. No person shall ride or drive any animal, or team of horses, mules or other animals, over or upon any public bridge over any of the streams or ravines within the limits of the city, at a rate of speed or gait faster than a walk.

SEC. 11. No person shall sell, give or deliver within the city, any deadly drug or poison, knowing the same to be such, without marking the same in legible characters "Poison."

SEC. 12. No person shall wilfully or wantonly throw any stone, stick or other missile whereby any person shall be hit or hurt or any window broken or other property destroyed or injured.

SEC. 13. No person shall place or deposit upon any sidewalk or street, any box, crate, goods, wares, merchandise, timber, coal, wood, brick or stone, or other substance or material, except in receiving or

delivering such goods, in which case they shall not obstruct the whole of the street or walk, nor allow the same to remain upon such street or sidewalk longer than twelve hours, except as provided in cases of the erection of buildings.

SEC. 14. No person shall place upon or cause to be placed upon any sidewalk in the limits of the city, any goods, wares, or merchandise, for sale or for show, nor suspend the same within eight feet of the sidewalk, except where the same may be temporarily permitted and licensed from time to time under the ordinance regulating and licensing designated vocations.

SEC. 15. No group of persons shall collect or gather together on any sidewalk so as to obstruct the free passage thereon, and it shall be the duty of the owner or occupant of such premises and the officers of the city, to disperse such gatherings.

SEC. 16. No person shall break through any barricade that may be established or made under the orders of the chief engineer of the fire department at any fire, for the purpose of enabling the firemen to more efficiently perform their duties; nor run over or attempt to run over the hose of the fire department, with any omnibus, wagon, street car, railroad car, locomotive, cart, dray, buggy, carriage, hack, coach or other vehicle.

SEC. 17. No person shall wilfully or carelessly obstruct or impede, or otherwise interfere with the progress or working of any steam engine, hose cart, hook and ladder wagon or other apparatus of the fire department, while the same is going to or remaining at a fire.

SEC. 18. No person shall carelessly or wilfully cut, mark or otherwise injure or deface any engine house, hose, engine, ladder or other apparatus belonging to the fire department.

SEC. 19. No person shall wilfully or carelessly break, injure, damage or deface, or otherwise interfere with, any lamp post or public lamp or gas jet kept or maintained at any place for public safety or convenience; nor any telegraph pole, telephone pole, fire-plug or hydrant; nor hitch any animal to any lamp post, telegraph pole, telephone pole, fire-plug or hydrant.

SEC. 20. No person, firm or corporation shall erect or maintain on, or adjacent to any street, alley or public ground within the city any barbed wire fence; nor shall such fences be erected in or upon any lot or parcel of land owned by any person within the city; unless the same be separated from all streets, alleys, and public

grounds by a fence of other material sufficient to prevent accidents by reason of the erection of such wire fence. Provided, that any such wire fence heretofore built or maintained, shall be removed upon notice so to do from the mayor or city marshal.

SEC. 21. No person shall injure, deface or destroy any fire alarm box, nor cut, break or otherwise injure any fire alarm wire, or telegraph wire, telephone wire, electric light wire, or wires of any description, used by the city for fire alarm purposes, nor shall any person cut, break, injure or destroy any wire used for any purpose within the city, lawfully erected or maintained.

SEC. 22. No person shall hitch any animal to any hydrant or fire plug, nor put or cause to be put, any sand, gravel, dirt or other material into any water valve belonging to the water works, nor without lawful authority in any manner interfere with any of the hydrants, fire-plugs, stop cocks, mains or machinery belonging or appertaining to said water works.

SEC. 23. No person shall draw, carry or convey, or cause to be carried, drawn or conveyed, any earth, ashes, dirt, manure, sand, gravel, filth or rubbish of any kind, through, over, along or across any paved street, alley or public ground, in said city except in a tight wagon, box or other receptacle so constructed as to prevent the dropping, or falling off, of said substances.

SEC. 24. No person, firm or corporation, owning, operating or conducting any hall, opera house, theatre, church or place of amusement, resorted to by the general public, shall cause, suffer or allow the aisles between the seats or pews, in any of the said halls, opera houses, theatres, churches or places of amusement, to become in any manner obstructed with chairs or benches, nor shall such chairs, benches or other obstruction be allowed in said aisles, but the same shall at all times be kept open for the use of the public attending at any time any of the places heretofore in this section mentioned.

SEC. 25. No person, firm or corporation, shall dig or excavate, or cause to be dug or excavated, any part of any street, alley, or public ground for any purpose, without permission from the city council or from some person having authority to permit such digging or excavating.

SEC. 26. That no three or more persons shall assemble together, or being assembled together, with intent to do any unlawful act, separately or in concert, with force or violence against any property of

the city, or against any person or his private property; nor act in such a manner as to cause fear or terror to any person, nor make any movement, preparation or demonstration against the peace of the city, nor against the peace or property of any citizen thereof; nor shall any person present at any such meeting or assembly, by his presence or otherwise, aid, abet, assist, encourage or countenance the commission of any such unlawful act nor any such movement, preparation or demonstration.

SEC. 27. No person shall, within the limits of the city, disturb the peace of any person or persons, nor use, with intent to provoke a breach of peace, any unseemly, profane, indecent or obscene language, nor with such intent make use of or be guilty of any violent or offensive conduct; nor, with like intent, assault, beat or strike another, nor allow any such language, conduct or behavior within or upon any house or premises owned by him, or by him owned, occupied or controlled, so that any person or persons in the vicinity of such premises are disturbed or annoyed thereby.

SEC. 28. No person shall aid, countenance or assist in making any noise, disturbance or improper diversion, in or upon any street, alley, avenue, or public place or grounds; nor shall any person remain with, abet, encourage or countenance any unlawful assemblage or crowd of persons, collected together to the annoyance of any person or to the obstruction of the passage over any of the streets, alleys, sidewalks, public places or grounds within the city.

SEC. 29. No person shall refuse to obey the commands and directions of any police officer or policeman who may be stationed and doing duty at any railroad depot or station, or steamboat or other landing, for the purpose of preserving order and enforcing the ordinances of the city. This section shall specially apply to all hackmen, cabmen, omnibus drivers, porters, solicitors and runners for hotels.

SEC. 30. No person or persons shall rescue or take from the custody of any police officer, policeman or watchman, nor prevent the arrest of any person, nor resist, oppose, obstruct or impede any member of the police force in the discharge of his duty.

SEC. 31. No person shall refuse to assist any policeman in making any arrests, when thereto lawfully required by any peace officer, police officer or policeman.

SEC. 32. No person shall intentionally give, make or cause to be given or made, any false alarm of fire.

SEC. 33. No person shall ring or sound, or cause to be rung or sounded, in or upon, or near any street, avenue, alley or public place, or upon any piazza, porch, balcony, steps or platform, any bell, gong or other sounding instrument as a means of attracting people to any auction, store, hotel or any other business place.

SEC. 34. No person shall make or excite any disturbance at any public meeting lawfully assembled, or make any noise or disturbance for the purpose of annoying such meeting or to cause a breach of the peace.

SEC. 35. No person shall move into or occupy any room, house or other building within the limits of the city, without permission of the owner or his authorized agent.

SEC. 36. No person shall wilfully cut, hack or injure in any manner any awning, lamp-post, ornamental or shade tree, railing fence or other enclosure, or any other property belonging to any person, or any property belonging to the city, or to any society or corporation.

SEC. 37. No person shall deface or tear down any advertisement, ordinance or notice posted by order of the council or any city officer.

SEC. 38. No person shall, without authority, put out any gas light or other lamps, or light any public gas lamp, or wilfully injure or destroy any gas pipe or water pipe, or open the same by turning any cock or otherwise, or injure the property of any person or corporation on any street, alley or public ground.

SEC. 39. No person shall, without written permission from the council, construct or build any sewer, vault, cistern or well in any public street, alley or public place. Any person violating this section, in addition to any fine that may be imposed, shall also be liable to the city or to any person in a civil action for any damage done by or resulting from its violation.

SEC. 40. No person shall make any excavation in any street, alley or public ground without securing the same during the night time, by enclosure thereof, at least three feet high and causing the same at all times of the night to be properly lighted.

SEC. 41. No person shall injure, destroy or assist therein, any public buildings or property belonging to the city, or any bridge, pavement, side- or crosswalk, drain, sewer or any part thereof, with-

out due authority, nor shall hinder or obstruct the making or repairing of any pavement, side- or crosswalk, or any person employed by the street commissioner in making or repairing any public improvement or work ordered by the council.

SEC. 42. No person shall take and use any ferryboat, skiff or other boat, the property of the city or of another, nor loosen the fastening thereto, nor break any chain, rope or lock, nor unlock the fastening thereof, nor remove such boat from the place where it may be left by the owner, without the authority of the owner or other lawful authority.

SEC. 43. No person shall wilfully break, destroy, deface or injure any house, building, shop, store, or any window or door thereof, or sever therefrom, or from any gate, fence or enclosure, or part thereof, any material of which it is formed, or sever from the land any produce thereof, or thing attached thereto; nor shall pull down, injure or destroy any gate, post, railing or part thereof, or cut down, lap, break, girdle or otherwise injure or destroy any fruit, ornamental or shade trees, standing or growing on any common or public ground, or on any street, avenue, alley, park or promenade, or growing upon the premises of another, or on land not his own, or break, cut, injure or destroy or deface in any manner any goods, wares, merchandise or personal property of another, or property of the city of Sioux City, or of any person, association or corporation, without due authority from the city or owner of such property.

SEC. 44. Any person wilfully violating any of the provisions of this ordinance, or any section thereof, or failing, refusing or neglecting to comply with any regulation or requirement of any section thereof, shall, upon conviction, be subject to a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, and shall be liable to the city, or to any person, or corporation suffering any injury from any violation thereof, in a civil action therefor.

Passed February 4, 1911.

### **PUBLIC MORALS AND DECENCY.**

AN ORDINANCE to provide for the enforcement of public morals and decency.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall appear in any public place in a state of nudity, or in any indecent and lewd dress, nor shall make



any indecent exposure of his or her person, nor be guilty of any lewd or indecent behavior; nor shall exhibit, sell or offer for sale, or give away, any indecent or lewd book, picture or other thing.

SEC. 2. No person shall bathe or swim, being naked and insufficiently clothed, in the Missouri river, Floyd river, or Perry creek, in the city, or on any bridge, shop or frequented street or road, between sunrise and sunset or after sundown.

Person shall indecently let to service any stallion, within the limits of the city.

Person shall become drunk or intoxicated in any place to the annoyance of any person, nor shall any person become drunk or intoxicated within the limits of the city.

Person shall knowingly let or lease to another any building for the purpose of being used or kept as houses of prostitution or assignation; and every person who has been informed that such room, house or building by him is being used for such purpose by the person, shall immediately take all proper and legal steps to discontinue possession thereof.

Person shall keep a bawdy house, house of ill-fame, or assignation, nor shall harbor or allow any girl under the age of sixteen years to be and remain in any such house or place.

Person shall frequent any bawdy house or houses, house of ill-fame, or prostitution or assignation, nor shall act as bartender in such house or houses nor act as bartender in such houses.

Person shall engage or be engaged in or allow any person to keep any animals, birds or fowls of any kind upon his premises without his possession and control.

SEC. 3. Any person violating any of the provisions of this ordinance, or neglecting, failing or refusing to comply therewith, shall, upon conviction, be subject to a fine of not more than one hundred dollars, or imprisonment not exceeding thirty days.

Passed June 15, 1882.

out due authority, nor shall hinder or obstruct the making or repairing of any pavement, side- or crosswalk, or any person employed by the street commissioner in making or repairing any public improvement or work ordered by the council.

SEC. 42. No person shall take and use any ferryboat, skiff or other boat, the property of the city or of another, nor loosen the fastening thereto, nor break any chain, rope or lock, nor unlock the fastening thereof, nor remove such boat from the place where it may be left by the owner, without the authority of the owner or other lawful authority.

SEC. 43. No person shall wilfully break, destroy, deface or injure any house, building, shop, store, or any window or door thereof, or sever therefrom, or from any gate, fence or enclosure, or part thereof, any material of which it is formed, or sever from the land any produce thereof, or thing attached thereto; nor shall pull down, injure or destroy any gate, post, railing or part thereof, or cut down, lap, break, girdle or otherwise injure or destroy any fruit, ornamental or shade trees, standing or growing on any common or public ground, or on any street, avenue, alley, park or promenade, or growing upon the premises of another, or on land not his own, or break, cut, injure or destroy or deface in any manner any goods, wares, merchandise or personal property of another, or property of the city of Sioux City, or of any person, association or corporation, without due authority from the city or owner of such property.

SEC. 44. Any person wilfully violating any of the provisions of this ordinance, or any section thereof, or failing, refusing or neglecting to comply with any regulation or requirement of any section thereof, shall, upon conviction, be subject to a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, and shall be liable to the city, or to any person, or corporation suffering any injury from any violation thereof, in a civil action therefor.

Passed February 4, 1911.

### **PUBLIC MORALS AND DECENCY.**

AN ORDINANCE to provide for the enforcement of public morals and decency.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall appear in any public place in a state of nudity, or in any indecent and lewd dress, nor shall make

any indecent exposure of his or her person, nor be guilty of any lewd or indecent behavior; nor shall exhibit, sell or offer for sale, or give away, any indecent or lewd book, picture or other thing.

SEC. 2. No person shall bathe or swim, being naked and insufficiently clothed, in the Missouri river, Floyd river, or Perry creek, in view of any house, bridge, shop or frequented street or road, between sunrise and one hour after sundown.

SEC. 3. No person shall indecently let to service any stallion, jack or bull within the limits of the city.

SEC. 4. No person shall become drunk or intoxicated in any private house or place to the annoyance of any person, nor shall any person allow himself to become drunk or intoxicated within the limits of the city.

SEC. 5. No person shall knowingly let or lease to another any room, house or other building for the purpose of being used or kept as a bawdy house, or houses of prostitution or assignation; and every person after having been informed that such room, house or building so let or leased by him is being used for such purpose by the lessee or any person, shall immediately take all proper and legal measures to recover possession thereof.

SEC. 6. No person shall keep a bawdy house, house of ill-fame, prostitution or assignation, nor shall harbor or allow any girl under the age of seventeen to be and remain in any such house or place.

SEC. 7. No person shall frequent any bawdy house or houses, nor any houses of ill-fame, or prostitution or assignation, nor shall be an inmate of any such house or houses nor act as bartender in any such house or houses.

SEC. 8. No person shall engage or be engaged in or allow any fight between any animals, birds or fowls of any kind upon his premises, or premises in his possession and control.

SEC. 9. Any person violating any of the provisions of this ordinance, or neglecting, failing or refusing to comply therewith, shall, upon conviction, be subject to a fine of not more than one hundred dollars, or imprisonment not exceeding thirty days.

Passed June 15, 1882.

out due authority, nor shall hinder or obstruct the making or repairing of any pavement, side- or crosswalk, or any person employed by the street commissioner in making or repairing any public improvement or work ordered by the council.

SEC. 42. No person shall take and use any ferryboat, skiff or other boat, the property of the city or of another, nor loosen the fastening thereto, nor break any chain, rope or lock, nor unlock the fastening thereof, nor remove such boat from the place where it may be left by the owner, without the authority of the owner or other lawful authority.

SEC. 43. No person shall wilfully break, destroy, deface or injure any house, building, shop, store, or any window or door thereof, or sever therefrom, or from any gate, fence or enclosure, or part thereof, any material of which it is formed, or sever from the land any produce thereof, or thing attached thereto; nor shall pull down, injure or destroy any gate, post, railing or part thereof, or cut down, lap, break, girdle or otherwise injure or destroy any fruit, ornamental or shade trees, standing or growing on any common or public ground, or on any street, avenue, alley, park or promenade, or growing upon the premises of another, or on land not his own, or break, cut, injure or destroy or deface in any manner any goods, wares, merchandise or personal property of another, or property of the city of Sioux City, or of any person, association or corporation, without due authority from the city or owner of such property.

SEC. 44. Any person wilfully violating any of the provisions of this ordinance, or any section thereof, or failing, refusing or neglecting to comply with any regulation or requirement of any section thereof, shall, upon conviction, be subject to a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, and shall be liable to the city, or to any person, or corporation suffering any injury from any violation thereof, in a civil action therefor.

Passed February 4, 1911.

### **PUBLIC MORALS AND DECENCY.**

AN ORDINANCE to provide for the enforcement of public morals and decency.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall appear in any public place in a state of nudity, or in any indecent and lewd dress, nor shall make

any indecent exposure of his or her person, nor be guilty of any lewd or indecent behavior; nor shall exhibit, sell or offer for sale, or give away, any indecent or lewd book, picture or other thing.

SEC. 2. No person shall bathe or swim, being naked and insufficiently clothed, in the Missouri river, Floyd river, or Perry creek, in view of any house, bridge, shop or frequented street or road, between sunrise and one hour after sundown.

SEC. 3. No person shall indecently let to service any stallion, jack or bull within the limits of the city.

SEC. 4. No person shall become drunk or intoxicated in any private house or place to the annoyance of any person, nor shall any person allow himself to become drunk or intoxicated within the limits of the city.

SEC. 5. No person shall knowingly let or lease to another any room, house or other building for the purpose of being used or kept as a bawdy house, or houses of prostitution or assignation; and every person after having been informed that such room, house or building so let or leased by him is being used for such purpose by the lessee or any person, shall immediately take all proper and legal measures to recover possession thereof.

SEC. 6. No person shall keep a bawdy house, house of ill-fame, prostitution or assignation, nor shall harbor or allow any girl under the age of seventeen to be and remain in any such house or place.

SEC. 7. No person shall frequent any bawdy house or houses, nor any houses of ill-fame, or prostitution or assignation, nor shall be an inmate of any such house or houses nor act as bartender in any such house or houses.

SEC. 8. No person shall engage or be engaged in or allow any fight between any animals, birds or fowls of any kind upon his premises, or premises in his possession and control.

SEC. 9. Any person violating any of the provisions of this ordinance, or neglecting, failing or refusing to comply therewith, shall, upon conviction, be subject to a fine of not more than one hundred dollars, or imprisonment not exceeding thirty days.

Passed June 15, 1882.

out due authority, nor shall hinder or obstruct the making or repairing of any pavement, side- or crosswalk, or any person employed by the street commissioner in making or repairing any public improvement or work ordered by the council.

SEC. 42. No person shall take and use any ferryboat, skiff or other boat, the property of the city or of another, nor loosen the fastening thereto, nor break any chain, rope or lock, nor unlock the fastening thereof, nor remove such boat from the place where it may be left by the owner, without the authority of the owner or other lawful authority.

SEC. 43. No person shall wilfully break, destroy, deface or injure any house, building, shop, store, or any window or door thereof, or sever therefrom, or from any gate, fence or enclosure, or part thereof, any material of which it is formed, or sever from the land any produce thereof, or thing attached thereto; nor shall pull down, injure or destroy any gate, post, railing or part thereof, or cut down, lap, break, girdle or otherwise injure or destroy any fruit, ornamental or shade trees, standing or growing on any common or public ground, or on any street, avenue, alley, park or promenade, or growing upon the premises of another, or on land not his own, or break, cut, injure or destroy or deface in any manner any goods, wares, merchandise or personal property of another, or property of the city of Sioux City, or of any person, association or corporation, without due authority from the city or owner of such property.

SEC. 44. Any person wilfully violating any of the provisions of this ordinance, or any section thereof, or failing, refusing or neglecting to comply with any regulation or requirement of any section thereof, shall, upon conviction, be subject to a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, and shall be liable to the city, or to any person, or corporation suffering any injury from any violation thereof, in a civil action therefor.

Passed February 4, 1911.

### **PUBLIC MORALS AND DECENCY.**

AN ORDINANCE to provide for the enforcement of public morals and decency.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall appear in any public place in a state of nudity, or in any indecent and lewd dress, nor shall make

any indecent exposure of his or her person, nor be guilty of any lewd or indecent behavior; nor shall exhibit, sell or offer for sale, or give away, any indecent or lewd book, picture or other thing.

SEC. 2. No person shall bathe or swim, being naked and insufficiently clothed, in the Missouri river, Floyd river, or Perry creek, in view of any house, bridge, shop or frequented street or road, between sunrise and one hour after sundown.

SEC. 3. No person shall indecently let to service any stallion, jack or bull within the limits of the city.

SEC. 4. No person shall become drunk or intoxicated in any private house or place to the annoyance of any person, nor shall any person allow himself to become drunk or intoxicated within the limits of the city.

SEC. 5. No person shall knowingly let or lease to another any room, house or other building for the purpose of being used or kept as a bawdy house, or houses of prostitution or assignation; and every person after having been informed that such room, house or building so let or leased by him is being used for such purpose by the lessee or any person, shall immediately take all proper and legal measures to recover possession thereof.

SEC. 6. No person shall keep a bawdy house, house of ill-fame, prostitution or assignation, nor shall harbor or allow any girl under the age of seventeen to be and remain in any such house or place.

SEC. 7. No person shall frequent any bawdy house or houses, nor any houses of ill-fame, or prostitution or assignation, nor shall be an inmate of any such house or houses nor act as bartender in any such house or houses.

SEC. 8. No person shall engage or be engaged in or allow any fight between any animals, birds or fowls of any kind upon his premises, or premises in his possession and control.

SEC. 9. Any person violating any of the provisions of this ordinance, or neglecting, failing or refusing to comply therewith, shall, upon conviction, be subject to a fine of not more than one hundred dollars, or imprisonment not exceeding thirty days.

Passed June 15, 1882.

SEC. 3. That whenever the city council shall, by resolution, order and direct any railway company or companies owning or operating any railway over, across and along any street, avenue or alley, shall construct and maintain good and sufficient gates and barriers at or near any crossing of any street, avenue or alley by the railway track or tracks of said railway companies, and thereafter it shall be the duty of said company or companies to keep and employ a gate-man to operate all such gates as may be ordered constructed by said city council. Said gates shall be so constructed that the same can be easily operated and in such a manner that the same shall cause no greater delay than necessary to the public traveling upon said streets over said crossings.

SEC. 4. That whenever the city council shall, by resolution, so order and direct, any railway company or companies owning or operating any railway over, across and along any street, avenue or alley within the city of Sioux City, shall keep and maintain lights during all the hours of the night designated in said resolution.

SEC. 5. That whenever the city council shall, by resolution, so direct, any railway company or companies owning or operating any railway over, across and along any street, avenue or alley within the city of Sioux City, shall keep and maintain a flagman at all such places upon said track or tracks as said city council so directs, for the length of time each day as shall be specified in such resolution.

SEC. 6. That whenever said council shall direct the construction or repair of any crossing or the construction and maintenance of any gates, or the maintenance of any flagman, or the lighting of any crossing, by said railway company or companies, a copy of the resolution ordering the same shall be by the marshal served upon the said company or companies, and thereafter within ten days said railway company or companies shall do and perform all the acts required by such resolution, and in the event of their failure so to do, said company or companies shall forfeit and pay to said city the sum of twenty-five dollars for each day's failure to comply with the directions and orders in said resolution contained, to be recovered before any court of competent jurisdiction.

SEC. 7. That all railway companies owning or operating any railway or railways over and across any traveled street in the city of Sioux City, shall not suffer any engines, cars or other obstructions



to be or remain upon crossings of any of said streets for more than five minutes at any one time; and that said streets shall only be used and occupied for the passage of their locomotives, cars and trains, and that as often as once in every five minutes, except in case of funeral processions, which shall not be detained, they shall leave said streets unobstructed the entire width of such streets for the passage of persons and teams, and they shall remain unobstructed until all persons and teams in waiting and ready to cross shall have time to do so.

SEC. 8. Any person, firm or corporation violating or failing to comply with any of the provisions of this ordinance shall forfeit and pay to the city of Sioux City not less than one dollar nor more than one hundred dollars for each offense, when no other or different punishment is herein provided for; said forfeiture to be recovered before any court of competent jurisdiction.

SEC. 9. All ordinances in conflict with any of the provisions of this ordinance are hereby, to the extent of said conflict, repealed.

Passed February 21, 1889.

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### REMOVAL OF DANGEROUS BUILDINGS.

AN ORDINANCE to provide for the repair, removal or destruction of buildings which are dangerous or liable to fall and for the levy of a special tax to provide for the expense thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. When the superintendent of the department of public safety shall determine that any building in the city is dangerous or likely to fall, he shall report the fact in writing to the city council, giving a complete description of the building, the name of the owner, if known, the location of the building, and a description of the lot or parcel of land on which the same is situated, together with his recommendations respecting the repair, removal or destruction thereof, and the probable cost thereof, and shall serve upon the owner a notice of such said report directing him on or before a day named, which shall not be less than five days from the actual personal service of such notice on the owner or his agent in Woodbury county, or not less than ten days from the first publication or other service of said notice to repair, remove or destroy said building as recommended in said report, or to file in writing with the city clerk his objection thereto, and the city council having heard said objection and con-

sidered the recommendation of the superintendent of the department of public safety, may by resolution order the repair, removal or destruction of said building, and such order shall be carried out and executed by the superintendent of the department of public safety or under and subject to his inspection, supervision and direction. A building, within the meaning of this ordinance, shall include any house, shop, barn, stable, bill board, stand or any other structure.

SEC. 2. When the probable or estimated cost of the repair, removal or destruction of such building shall be one hundred and fifty dollars or more, the work shall be done under contract, which shall be done upon sealed proposals, as near as may be, in the form and manner provided for making contracts for street improvements. When the estimated or probable cost shall be less than one hundred and fifty dollars it shall be done by the superintendent of the department of public safety, either by men employed by the day or upon contract without advertising for bids. Any contract must be filed with the city clerk and approved by the council before it shall bind the city.

SEC. 3. When the work of repair, removal or destruction of such building is completed, the superintendent of the department of public safety shall file with the city clerk a schedule or statement of the cost, including notices and inspection, with the name of owner, if known, and a description of the property to be assessed, and after filing the same the city clerk shall give the owner notice that said statement or schedule is on file, and that on or before ten days from the publication or other service of said notice, all objections thereto, or to the prior proceedings must be made in writing and filed with the city clerk, and the council, having heard the objections and made the necessary construction, shall assess said costs as a special tax upon the lot or parcel of ground and against the owner thereof personally, which tax shall be certified to the county auditor and be collected as other special taxes.

SEC. 4. The notice provided for in sections one and three hereof may be served either upon the owner or his agent personally in the manner provided for service of original notice, or by two publications in each of two newspapers published in the city.

SEC. 5. All ordinances or parts of ordinances inconsistent herewith, are hereby repealed.

Passed September 15, 1903.

**FENDERS FOR STREET CARS.**

AN ORDINANCE requiring fenders to be placed on each car or train or street railway cars used and operated on any street railway in the city of Sioux City and providing penalties for violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. Each and every company, person, co-partnership or corporation operating street cars or street railways in the city of Sioux City, shall place or cause to be placed, and thereafter maintained on the front end of each street car used or operated singly and upon the front end of the front car of any train of street cars so used and operated by such company, person, co-partnership or corporation within the limits of the city of Sioux City, a properly constructed fender, which fender shall be constructed and attached so as to comply with the most advanced usage and custom adopted for that purpose in cities of the first class, and so made and attached to each car, as above provided, as to fully protect persons and animals on or near the street railway tracks upon which said cars may be operated, from injury thereby.

SEC. 2. The operation or use of any street railway within the limits of the city of Sioux City without such cars and trains of cars being provided with fenders in compliance with the provisions of section one (1) of this ordinance, shall be deemed a violation of this ordinance.

SEC. 3. Each and every company, person, co-partnership or corporation who shall violate any of the provisions of this ordinance, shall, for each and every such violation, be punished by a fine of not more than one hundred dollars (\$100.00).

SEC. 4. All prior ordinances upon the subject of this ordinance are hereby repealed.

Passed February 4, 1911.

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**PROHIBITING FORTUNE-TELLING, ETC.**

AN ORDINANCE prohibiting the engaging in and practice of fortune-tellers, palmists and clairvoyants, and providing penalties for violation of this ordinance.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That any and all persons are hereby prohibited from

engaging in or practicing fortune-telling, palmistry or clairvoyance, within the corporate limits of the city of Sioux City, Iowa.

SEC. 2. That each and all persons who engage in or practice fortune-telling, palmistry or clairvoyance, within the corporate limits of the city of Sioux City, Iowa, or who shall neglect or fail to comply with the provisions of this ordinance, shall, on conviction, for each offense pay a fine of not less than \$10.00, nor more than \$100.00, and shall be imprisoned until such fine is paid, not exceeding thirty days.

SEC. 3. All ordinances and parts of ordinances conflicting with any provision of this ordinance are hereby repealed.

SEC. 4. This ordinance shall take effect and be in force from and after its passage and publication, as provided by law.

Passed November 12, 1910.

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### GLASS, TACKS, ETC., IN STREETS.

AN ORDINANCE to prohibit persons from throwing or depositing glass, tacks, nails or other waste materials in the streets of the city of Sioux City, which are likely to puncture bicycle, automobile or motorcycle tires.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall hereafter throw, deposit or place, in the traveled portion of any of the public streets or alleys of the city, any glass, tacks, nails, crockery, or waste materials of like kind or character, or other articles with sharp points or surfaces likely to puncture tires of automobiles, bicycles or motorcycles.

SEC. 2. Any person violating any of the provisions of this ordinance shall be liable to a fine not exceeding fifty dollars (\$50.00) or less than ten dollars (\$10.00), or imprisonment in the county jail not to exceed fifteen (15) days or less than two (2) days.

SEC. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed November 9, 1909.

**GAMBLING.**

AN ORDINANCE to suppress, restrain and prohibit gambling houses and places, to provide for the punishment of the keepers thereof and persons resorting thereto, also providing for the destruction of instruments and devices used, kept and intended to be used for the purpose of gambling therein.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. No person shall keep, within the city of Sioux City, any house, room, building, enclosure or place of any kind for gambling for money or for other property, with cards, machines or any other instruments or devices whatever, or wherein such gambling is carried on, or shall in any manner be connected therewith as owner, clerk, agent, employe or manager or in any manner contribute to or be concerned in the support, carrying on, or keeping of any such house or place.

SEC. 2. No person, except he be a peace officer engaged in the performance of his duty as such, or a person otherwise lawfully present therein shall resort to or be found in any house, room, building, enclosure, or place of any kind wherein gambling as described in the first section of this ordinance is carried on or conducted.

SEC. 3. No person or persons shall keep or cause or allow to be operated or used in any store, grocery or business place within the city any slot machine or other device designed and intended for gambling for money or other property of any character or nature whatsoever, or shall in any manner at such place, or places, use or be connected with the use or operation of such machine or device for gambling, as aforesaid, as owner, clerk, agent, employe or manager.

SEC. 4. Any person violating the provisions of either of the preceding sections shall be guilty of a misdemeanor and be punished by a fine of not more than one hundred dollars or be imprisoned for not more than thirty days.

SEC. 5. The having in possession any instrument or devices used, kept or intended to be used for the purpose of gambling as described in the first section of this ordinance, is declared to be unlawful and prohibited, and the same may be seized and destroyed as hereinafter provided.

SEC. 6. It shall be the duty of the marshal and every police officer of the city to institute proceedings and seize and take before the police court all instruments and devices found within the city of Sioux City and used and kept or intended to be used for the purpose of gambling as described in the first section of this ordinance, and every such instrument or device shall be destroyed and a record thereof kept by the police judge on his docket.

SEC. 7. The proceedings for the seizure, condemnation and destruction of the instruments and devices mentioned in sections five and six hereof shall, as near as may be, be the same as are prescribed in section 4963 of the code, unless written objections are filed by the owner of said property, in which case the proceedings for condemnation and destruction shall be substantially the same as provided in sections 2413 to 2416, inclusive, of the code, and in all such proceedings where the property is ordered to be destroyed, defendant shall be adjudged to pay the costs.

SEC. 8. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SEC. 9. This ordinance shall take effect from and after its publication as provided by law.

Passed May 5, 1908.

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### TAXING TRAFFIC IN INTOXICATING LIQUORS.

AN ORDINANCE for regulating, controlling and taxing the traffic in intoxicating liquors.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there shall be assessed against every person, firm, corporation or partnership engaged in selling or keeping, with the intention of selling, any intoxicating liquors under an act of the twenty-fifth general assembly of the state of Iowa, entitled, "An act to tax the traffic in intoxicating liquors and to regulate and control the same," and in addition to the tax therein provided a tax of \$600.00 per annum to be paid in advance in twelve equal monthly installments of \$50.00 each.

SEC. 2. Before any person, firm, corporation or partnership shall engage in selling or keeping, with the intention of selling, any intoxicating liquors as herein provided, within the limits of Sioux City,

Iowa, he or they shall pay or cause to be paid to the city treasurer for the use and benefit of the city the amount of tax herein required, and take the treasurer's receipt therefor.

SEC. 3. This ordinance and its provisions shall be in full force and effect from and after the first day of October, 1910.

SEC. 4. Any person guilty of the violation of the provisions of this ordinance shall, upon conviction, pay a fine of not more than \$100.00 or be imprisoned in the county jail for a period not exceeding thirty days.

SEC. 5. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Passed August 13, 1910.

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### PROHIBITING MINORS, ETC., IN SALOONS.

AN ORDINANCE prohibiting any minor, drunkard, intoxicated person, person to whom dealers have been officially notified to not sell liquors, or person who has taken any of the so-called "cures for drunkenness" from being present in any room where intoxicating liquors are sold as a beverage and providing penalty for violation hereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no minor, drunkard, intoxicated person, person to whom dealers have been officially notified to not sell liquors, or person who has taken any of the so-called "cures for drunkenness," shall be present in any room where intoxicating liquors are sold as a beverage.

SEC. 2. Any person who shall violate the provisions of this ordinance shall be guilty of a misdemeanor, and shall be fined not more than one hundred dollars (\$100.00), or imprisoned in the county jail not to exceed thirty (30) days.

SEC. 3. This ordinance shall be in effect from and after its passage and publication, as provided by law.

Passed June 22, 1909.

### **PROHIBITING MINORS FROM FREQUENTING POOL HALLS, ETC,**

AN ORDINANCE to prohibit minors from frequenting pool halls, billiard halls and bowling alleys, and providing for a fine for violation hereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person under the age of twenty-one years shall be permitted to frequent pool halls, billiard halls or bowling alleys within the city of Sioux City, and no person under the age of twenty-one years shall be permitted to play games of pool or billiards and the game commonly known as bowling in any so-called bowling alley, billiard hall or pool hall kept within the city of Sioux City and operated for hire; and it shall be unlawful for the owner, proprietor, manager or person having charge or control of any pool hall, billiard hall or bowling alley to permit any minor or person under the age of twenty-one years to engage in playing games of any kind or description within any pool hall, billiard hall or bowling alley kept or operated for hire, or to permit any such person to frequent such place or places for the purposes of amusement, whether it be to participate in games themselves or to while away their time watching games being played by others; provided this ordinance shall not apply to minors while accompanied by their parents or legal guardians.

SEC. 2. Any person violating the provisions of this ordinance shall be liable to a fine not exceeding one hundred dollars (\$100.00) or imprisonment in the county jail not exceeding thirty (30) days.

SEC. 3. This ordinance shall be in full force and effect from and after its publication, as required by law.

Passed October 26, 1909.

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### **DISTRIBUTING MEDICINES, PILLS, ETC.**

AN ORDINANCE regulating the circulating, giving away or distributing of patent medicine, pills, drugs or nostrums and providing a penalty for the violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. No person, firm or corporation shall distribute, circulate or give away within the city of Sioux City any trial or free



samples of medicine, dyeing ink, or polishing powders, pills, drugs or nostrums of any kind or nature of them, in any form or preparation, in any manner, so that children may get possession of or secure the same, provided that this ordinance shall not be construed to prohibit the sale or gift of any such article by a merchant of the city at his regular place of business, nor shall it prohibit the sale, gift or distribution of such articles by handing the same to adult persons.

SEC. 2. Any person violating the provisions of this ordinance shall, upon conviction, be punished by a fine of not more than one hundred dollars or by imprisonment not exceeding thirty days.

SEC. 3. This ordinance shall take effect from and after its passage and publication as provided by law.

SEC. 4. Ordinance No. G449 and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed February 19, 1907.

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### SPITTING ON SIDEWALKS, ETC.

AN ORDINANCE making it unlawful for any person to spit or expectorate in any street car or on the steps, floor or walls of any public building or upon any public sidewalk, within the corporate limits of the city of Sioux City, Iowa.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. It shall be unlawful for any person to spit or expectorate on the floor, steps or platform of any street railway car or other public conveyance used for the purpose of conveying passengers in the city of Sioux City, and it shall be unlawful for any person to spit or expectorate on any steps, floor, corridors, hallways or walls of any theatre, church, hall or other public building in the city of Sioux City, or upon any public sidewalk within the corporate limits of the city of Sioux City.

SEC. 2. It is hereby made the duty of every officer of police and health department of the city of Sioux City to arrest any person violating the provisions of this ordinance.

SEC. 3. It is hereby made the duty of every person owning, managing or operating street cars in the city of Sioux City to post a copy of this ordinance in such cars, or at his option to so post the first section of this ordinance with a brief statement of the penalty attached to the violation thereof.

SEC. 4. Any person who violates or fails to comply with the provisions of this ordinance shall, upon conviction, be punished by a fine for each offense in the sum of not less than one dollar nor exceeding ten dollars, or by imprisonment for a period of not less than one day nor more than ten days.

SEC. 5. This ordinance shall be in effect from and after its passage and publication as provided by law.

Passed May 2, 1905.

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### REGULATING SOLICITORS FOR HOTELS, ETC.

AN ORDINANCE to prohibit solicitors for hotels, boarding houses or rooming houses from soliciting patronage on the depot grounds of the Chicago & North Western Railway Company, except in such places as the company may designate therefor, and providing a penalty for the violation hereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall solicit patronage for any hotel or boarding house or rooming house on the depot grounds of the Chicago & North Western Railway Company, within the city of Sioux City, except in such place or places as may be designated therefor by the railway company and then only with the consent of the railway company. But this ordinance shall not apply to any portion of Nebraska street, whether vacated or not.

SEC. 2. Any person violating any of the provisions of this ordinance shall be liable to a fine of not less than five dollars (\$5.00) or more than twenty-five dollars (\$25.00), or imprisonment in the county jail not less than two (2) days or more than ten (10) days.

SEC. 3. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed December 22, 1909.

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### POUNDMASTER.

AN ORDINANCE creating the office of poundmaster and defining his duties.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That at the first regular meeting of the city council in April, 1906, and biennially thereafter, said council shall, by a

majority of the votes of all the members thereof, appoint a poundmaster, who shall hold his office for the term of two years, and until his successor in office is duly appointed and qualified.

SEC. 2. The poundmaster shall, on the first of each month, make report to the city council of all animals impounded and all fees and moneys collected by him, which fees and moneys shall be paid monthly into the city treasury, and shall personally attend to the duties of his office.

SEC. 3. The city council shall provide a secure and suitable pound, pen or enclosure, and all animals found running at large contrary to the provisions of the city ordinances shall be by said poundmaster taken up and confined therein. The city shall also provide within such pen or enclosure, all necessary facilities and provisions for feeding and keeping all such animals so taken up by said poundmaster and confined in said pound, as aforesaid.

SEC. 4. It shall be the duty of said poundmaster to take up and impound any dogs, mulc, horse, donkey, sheep, swine or cattle of any kind found running at large upon the streets, alleys and public grounds within the city limits of the city of Sioux City.

SEC. 5. The provisions of this ordinance shall not apply to dogs which belong to non-residents which may be with the keeper or owner or near the owner's wagon or effects, or dogs with taxes paid upon them and collared and marked as provided in an ordinance in relation to taxes on dogs.

SEC. 6. Said poundmaster shall receive a salary of \$65.00 per month for the first year, and seventy dollars per month thereafter.

SEC. 7. Said poundmaster shall, before entering upon the duties of his office, execute a bond to the city of Sioux City with two or more sureties thereon or other legal security, in the penal sum of \$2,000.00, conditioned for the faithful performance of all the duties of his office.

SEC. 8. When any animal shall have been taken up and impounded for running at large, contrary to the provisions of this ordinance, or any ordinance of the city of Sioux City, the poundmaster shall immediately give five days' notice of the sale thereof by posting up three written or printed notices in three public places within the city, of the time and place of sale, and a description of the animal to be sold, one of which notices shall be posted up at the mayor's office, and another at the post office, and at the expiration of said

notice the poundmaster shall sell the same to the highest and best bidder for cash at public auction, and a bill of sale, signed by the poundmaster, shall be given to the purchaser of the animal thus sold, which shall vest the right of property in the purchaser thereof, and for all such sales made, as aforesaid, he shall be entitled to receive the same fees as are allowed to constables for making sale under execution by the laws of the state of Iowa, provided that if the owner or any other person duly authorized by him shall, on or before the time fixed for said sale, pay the costs and charges thus far made, the poundmaster is hereby required to release such animal upon satisfactory proof of ownership, but if the same shall not be released until it shall be sold in accordance with said notice and the money arising from said sale after the expenses of taking up, keeping and selling the same are deducted, shall be paid over to the owner or owners of such animal sold upon their proving to the poundmaster within sixty days from date of sale that the property in such animal is in the person, or persons, claiming to be such owner, but if no person appears claiming to be the owner thereof, the money shall be paid into the city treasury.

SEC. 9. That when any dog shall be taken up, and notice of sale given as herein provided, and the same shall not be sold, nor redeemed by the payment of all costs and charges, as aforesaid, it shall be the duty of the poundmaster to slay the same, and cause the same to be properly buried.

SEC. 10. The poundmaster shall charge a fee of fifty cents for each animal taken up, impounded by him and not suffered to escape or to be released, and the further sum of twenty-five cents for each twenty-four hours the same shall be kept and fed by him in the pound, which fees shall be paid into the city treasury.

SEC. 11. Any person who shall in any manner interfere with the poundmaster to hinder, delay or prevent his executing his duties in relation to the matters and things in this ordinance contained, or who shall open any gate, or in any manner make an opening in any enclosure made for keeping and impounding animals, or shall cause any animal, when impounded, to escape, shall, upon conviction, be subject to a fine of not more than \$100.00, including costs of prosecution.

SEC. 12. All ordinances or parts of ordinances in conflict with this ordinance, are hereby repealed.

Passed April 2, 1906.

**REGULATING STREET TRAFFIC.**

AN ORDINANCE relating to street traffic and regulating the use of the streets, alleys and public places of the city of Sioux City by street cars, carts, drays, hackney coaches, omnibuses, carriages, wagons, motor vehicles, and other vehicles, providing a penalty for violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. The owner, driver, operator or person in charge of any street car, cart, dray, hackney coach, omnibus, carriage, wagon, motor vehicle, or other vehicle, drawn, driven or propelled upon the streets, alleys or public places of the city of Sioux City shall conform to and comply with the following rules and regulations:

SEC. 2. Vehicles shall be driven in a careful manner and with due regard for the safety and convenience of pedestrians, also of other vehicles.

SEC. 3. Vehicles shall keep to the right of the center of the street.

SEC. 4. On a street divided longitudinally by a parkway, viaduct, walk, street railway or sunken way, vehicles shall keep to the right of such division.

SEC. 5. Vehicles moving slowly shall keep as close as possible to the curb on the right, allowing more swiftly moving vehicles free passage to their left.

SEC. 6. Vehicles turning to the right into an intersecting street shall pass and turn the corner as near to the right hand curb as possible.

SEC. 7. Vehicles turning to the left into an intersecting street shall pass to the right of and beyond the center of the street intersection before turning.

SEC. 8. Vehicles meeting shall pass each other to the right.

SEC. 9. A vehicle overtaking another vehicle traveling in the same direction shall keep to the left of the overtaken vehicle in passing.

SEC. 10. Every vehicle shall pull to the right side of the street or road when signalled from a vehicle behind which desires to pass.

SEC. 11. No vehicle shall back or make a turn in any street if by so doing it interferes with other vehicles, but shall go around the block or to a street sufficiently wide to turn in without backing.

SEC. 12. Vehicles crossing from one side of the street to the other shall do so by turning to the left so as to head in the same direction as the traffic on that side of the street towards which the crossing is made, and when the street is congested with traffic such vehicles shall go to the intersection before turning, and no vehicle shall stop with its left side to the curb.

SEC. 13. No vehicle shall remain backed up to the curb except it be actually loading or unloading, and in such case no longer than the actual loading or unloading requires. The horse or horses attached to a vehicle backed up to the curb shall be turned at right angles to the vehicle and in the direction in which the traffic upon the street is moving.

SEC. 14. A vehicle waiting at the curb shall promptly give place to a vehicle about to take on or let off passengers.

SEC. 15. No vehicles shall stop on any street unless within two feet of the curb, nor in such a way as to obstruct the free passage of the street.

SEC. 16. No vehicle or street car shall stop within any street intersection nor within ten feet of the line of an intersecting street in the congested district, nor outside of said district for a longer period than is necessary to load and unload.

SEC. 17. Traffic on east and west streets shall have the right-of-way over traffic on north and south streets.

SEC. 18. The driver of any vehicle shall stop upon signal from a police officer.

SEC. 19. The driver of a vehicle, on the approach of a fire wagon or other fire apparatus, shall immediately draw up said vehicle as near as practicable to the right hand curb and parallel thereto, and bring it to a standstill.

SEC. 20. The driver of a street car shall immediately stop said car and keep it stationary upon the approach of a fire engine or wagon or other fire apparatus; provided, that if on a street intersection, such street car shall, if practicable, clear the intersection.

SEC. 21. The officers and men of the fire department and fire patrol with their fire apparatus of all kinds, when going to or on duty, or returning from a fire, and the officers and men of the police department and all patrols and ambulances shall have the right-of-way in any street and through any procession, except over vehicles carrying United States mail.

SEC. 22. No vehicle shall be driven through a procession except with the permission of a police officer.

SEC. 23. No vehicle shall be allowed to remain upon, or be driven through any street of the city of Sioux City so as to wilfully blockade or obstruct the said street, and no vehicle shall be so overloaded that the horse or horses or motive power, shall be unable to move it.

SEC. 24. The driver or operator of every motor vehicle shall give some plainly visible or audible signal of his approach, and the driver or operator of every vehicle as defined herein shall keep his vehicle not less than six feet from the running board or lower step of any street car which is stopping for the purpose of taking on or discharging passengers, and if, by reason of the presence of other vehicles at the place where such car is stopping, or by reason of the narrowness of the street, it is not possible to preserve a distance of six feet from such running board as herein prescribed, then the driver or operator of said vehicle shall stop the same until such car shall have taken on or discharged its passengers and again started.

SEC. 25. Drivers or operators of motor-vehicles of all kinds shall, in approaching or traversing a crossing or street intersection, have their vehicles under control, and shall sound their signals in such a way as to give warning to other vehicles and pedestrians of their approach, and reduce the speed of such vehicle to a rate not greater than six miles an hour in the congested districts, or ten miles an hour elsewhere, and no such vehicle shall turn a corner into an intersecting street at a greater rate of speed than four miles an hour.

SEC. 26. No horse shall be left unattended in any street or highway unless securely fastened, or unless the wheels of the vehicle to which he is harnessed are securely tied, fastened or chained, and the vehicle is of sufficient weight to prevent its being dragged at dangerous speed with wheels so secured.

SEC. 27. No horse shall be unbitted or unbridled in any street or highway unless secured by a halter.

SEC. 28. No one, in any street or highway, shall remove a wheel, pole, shaft, whiffletree, splinter-bar or any part of a harness likely to cause accident if the horse or horses start, without first unhitching the horse or horses attached to said vehicle.

SEC. 29. No one shall crack or use a whip so as to annoy, interfere with or endanger any person or excite any horse or horses other than that which he is using.

SEC. 30. No hacks, taxicabs, express wagons, drays, or vans shall stand in the street without the consent of the owner of the abutting property and the superintendent of streets and public improvements, and where such consent is given, said vehicles shall not line up more than one row deep along the curb.

SEC. 31. No vehicle shall be drawn, driven or propelled on any street, alley or public place in the city of Sioux City at a greater rate of speed than is reasonable and proper, having regard to the traffic and use of the highway, or so as to endanger the life or limb of any person in any event, at a greater rate than six miles an hour in the congested district; and no vehicles except motor vehicles, shall be drawn, driven or propelled on any such street, alley or public place outside of said congested district at a greater rate of speed than eight miles an hour.

SEC. 32. No vehicles used exclusively or primarily for advertising purposes shall be allowed on any street, alley or public place in the congested district, between the hours of 6 a. m. and 8 p. m.

SEC. 33. All wagons, carts and vehicles of every kind and description, except city wagons or covered vehicles, used for the hauling of garbage, manure, dead animals, refuse and offensive offal of every kind and description, are hereby prohibited from using the main thoroughfares and principal streets of the city of Sioux City between the hours of 8 a. m. and 10 p. m. For the purposes of this section, the said principal thoroughfares shall be Pierce street from First street to Eighth street; Third, Fourth and Fifth streets from Perry creek to Wall street; West Seventh from Center street to Perry creek; provided however, that nothing in this section shall be so construed as to prohibit the hauling of said garbage, dead animals, manure, refuse and offensive offal through the alleys and street inter-sections.

SEC. 34. The word "vehicle" as used in this ordinance shall be held to include equestrians, lead horses, carts, drays, hackney coaches, omnibuses, carriages, wagons, motor vehicles and all other vehicles used for transporting persons or property on the public streets, however drawn, driven or propelled, except street cars and carts, carriages or barrows propelled by hand.



The word "horse" includes all domestic animals.

The word "driver" includes the rider and driver of a horse, the rider of wheels, and the operator of a motor vehicle or street car.

The term "congested district" as used in this ordinance, is defined to be that part of the city of Sioux City lying within the following boundaries, to-wit: On the north, by Seventh street; on the west, by Perry creek; on the east, by Wall street, and on the south by First street.

SEC. 35. On the streets having a double car track, no street car shall pass a street car which has stopped, at a greater rate of speed than two miles an hour and cars shall not pass each other at street intersections.

SEC. 36. The department of public safety shall have and exercise all powers and duties in relation to the management of street traffic in the city of Sioux City.

SEC. 37. Any person violating any of the rules, regulations or provisions of this ordinance shall be punished by a fine of not less than one dollar (\$1.00) nor more than fifty dollars (\$50.00), and shall stand committed until such fines and costs are paid.

SEC. 38. All ordinances or parts of ordinances in conflict herewith are, to the extent of that conflict, hereby repealed.

SEC. 39. This ordinance being deemed urgent and necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and publication as required by law.

Passed December 31, 1910.

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## FRANCHISE TO SIOUX CITY GAS AND ELECTRIC COMPANY.

AN ORDINANCE granting to the Sioux City Gas and Electric Company and its assigns, the right and authority to furnish, sell and distribute gas and electricity for light, heat and power to the city of Sioux City, Iowa, and the inhabitants thereof, and for said purpose to operate, establish, construct, erect and maintain gas works and electric light plant, to lay, construct and maintain gas mains and pipes, to erect and maintain poles and to establish and maintain wires and conduits and for said purpose to occupy

the streets, alleys and public grounds of said city for the period of twenty-five (25) years from the final approval and publication of this ordinance.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there be and is hereby granted to the Sioux City Gas and Electric Company and its assigns, the right and authority to furnish, sell and distribute gas and electricity for light, heat and power to the city of Sioux City and the inhabitants thereof, and for said purpose to operate, establish, construct, erect and maintain the necessary buildings, plants and works for the manufacture and generation of gas and electricity in the city of Sioux City and to lay, erect, construct and maintain the necessary mains and pipes for the distribution of gas, the necessary wires, poles, cables, conductors, lamps and other appliances or apparatus that may be necessary for the proper generation, conveyance and distribution of gas and electricity for and in the city of Sioux City as the boundaries thereof are now and may hereafter be.

The said right herein granted shall continue and extend for the period of twenty-five (25) years from the date this ordinance takes effect, subject to the conditions herein expressed.

SEC. 2. Said grantee shall have the right and power to use and occupy all streets, alleys and public grounds in said city now occupied by it or that it may hereafter elect to occupy, both those now laid out or which may hereafter be laid out, for the purpose of laying down therein, erecting thereon and maintaining mains and pipes for the distribution of gas, and wires, poles, conduits, cables and other appliances for the distribution of electricity; provided, that the said mains or conduits to be laid or constructed shall not interfere with the established drainage of said city or the necessary construction of sewers, or such underground fixtures for conveying of water as said city may deem proper to lay in said streets, alleys and public grounds and that all excavations shall be properly protected while open, shall remain open no longer than necessary, and shall be so filled and repaired as to leave the street or alley in as good condition as before the excavation was made. Said grantee, or its assigns, shall indemnify and hold harmless the said city for all damages occasioned to said city or others, by any negligence of said grantee or its servants in the construction or repair of said mains, pipes, poles, wires or conduits, or in the making of said excavation.

The use of the streets, avenues and public grounds of the city of Sioux City for the laying of pipes and mains, and for the erection of poles and the stringing of wires and cables, shall, at all times, be subject to such rules and regulations as the city council may adopt and the power thus vested shall include the power to require all the electric wires to be placed in proper underground conduits within the fire limits, when it shall be deemed necessary for the public safety.

SEC. 3. In consideration of this grant, it is further ordained that at the expiration of ten years the city shall have the right to purchase the property of the Sioux City Gas & Electric Company, and said company, and its assigns, agree to sell to said city at the price of the cost of duplicating the plants at the time of said purchase. Should the city fail to exercise this right during the tenth year of this franchise, they shall have the same right during the fifteenth, twentieth and twenty-fifth years. This grant is made under further condition and the said grantee agrees, that in case the city elects to buy the property of the Sioux City Gas & Electric Company, it shall serve notice sometime during the tenth (10th), fifteenth (15th), twentieth (20th), and twenty-fifth (25th) years of this franchise and in order to arrive at the price to be paid, the city shall appoint one commissioner, the grantee, or its assigns, one, and the two shall choose a third. The commissioners so chosen shall constitute a board to take testimony and fix the price to be paid by the city on the basis of cost of duplication.

SEC. 4. In consideration of the rights and privileges herein granted, the said grantee, and its assigns, agree to accept this grant subject to the further consideration that during the life of this franchise the prices, which may be charged for gas furnished private consumers, shall not exceed the following amounts:

For the period commencing with the date of the granting of the franchise and ending December 31, 1903, at the rate of \$1.20 net per thousand cubic feet;

For one year commencing January 1st, 1904, at the rate of \$1.15 net per thousand cubic feet;

For one year commencing January 1st, 1905, at the rate of \$1.10 net per thousand cubic feet;

For one year commencing January 1st, 1906, at the rate of \$1.05

net per thousand cubic feet; and thereafter at the rate of one dollar (\$1.00) net per thousand cubic feet.

The said grantee and its assigns may add ten cents per thousand cubic feet to each of these prices, but it shall be required to discount that sum for payment on or before the tenth day of the month following in which the gas was consumed.

The price to be charged for electricity furnished private consumers shall not exceed the established rate now charged private consumers for the same. And the said grantee and its assigns shall have the right to contract with the city for the furnishing of gas and electricity to the city and on its streets and alleys at such prices as may be mutually agreed upon between the grantee and its assigns and the said city from time to time. And said grantee and its assigns agree, at all times during the life of this franchise, to furnish gas and electricity of a standard quality and at all times to use due diligence and care in maintaining its plants and works to furnish gas and electricity to said city and its inhabitants.

This grant is made under further consideration and the said grantee agrees that, during the term thereof, the said grantee and its assigns, shall pay to the city treasurer, in each year, two per cent (2%) of the gross receipts of the said grantee or its assigns, received in Sioux City, Iowa, in each year for gas and electricity sold to consumers other than the city of Sioux City, Iowa; said payments to be made semi-annually on the fifteenth day of January and July in each year, on the receipts for the six preceding calendar months.

The city council shall have the right to appoint a competent accountant to verify from the books of the company, the statements made as to gross receipts.

SEC. 5. The city electrician, or such person as the city may from time to time appoint, shall have the authority to inspect the construction and maintenance of all poles, wires, cables and conduits and the accuracy and efficiency of all meters, constructed or used by the grantee or its assigns, and shall have authority to make all reasonable rules and regulations regarding the use and maintenance and repair of the same. The city engineer shall have authority to inspect and direct as to the construction and laying of all mains and pipes for gas belonging to or used by the grantee or its assigns.

Any user of electricity, upon filing a written complaint, with the city clerk, shall have the right to have his electric meter and service

examined and tested by the city electrician, or by any person appointed by the city council for such purpose, and any consumer of gas, upon filing a similar complaint, shall have the right to have his gas meter and service examined and tested by the city engineer, or by some competent person whom he may appoint. If the meter or service is found to be deficient in any respect, the grantee or its assigns shall immediately remedy the defects, and shall pay to the person authorized to make the examination or test a fee of two dollars (\$2.00). If the meter and service are found to be accurate and in good condition said fee shall be paid by the person causing the examination or test to be made.

The said grantee further agrees to make no charge to consumers of gas for running the usual service pipe from the main pipe on the street to the front of abutting lots.

SEC. 6. That this ordinance is passed and adopted subject to the approval thereof by the electors of Sioux City, Iowa, as provided in section 720 and 721 of the Code of Iowa and amendments thereto. And, upon the passage of this ordinance by the city council, they shall provide for the calling of a special election in said city for the purpose of submitting the question of the approval of this ordinance and the contract and provisions therein contained to the electors of said city, as provided by law; and if approved by a majority of said electors, voting at said election, then, and not until then, shall this ordinance and its provisions be binding upon the city of Sioux City; and, in that event, it shall be carried into execution by the city council as provided by law, but nothing herein shall be construed to prevent the city from owning and operating a gas and electric plant at any time.

SEC. 7. That within thirty (30) days after the passage of this ordinance, the said grantee shall file with the city clerk, its acceptance of the provisions of this ordinance and of its terms and conditions and said ordinance with said acceptance, when said ordinance shall be approved by said electors at said election, and published as hereinafter provided, shall become and be a binding contract between said city and the grantee and its assigns, and all the franchises now exercised by the grantee shall be merged in the one hereby granted.

Provided, however, that the Sioux City Gas & Electric Company shall pay all the costs incurred in holding said election, as by law provided.

SEC. 8. This ordinance after its adoption and approval by the electors of said city, shall be published as provided by law in the Sioux City Journal, the Union Advocate, and the Sioux City Tribune, and shall be in full force and effect from and after its adoption, approval and publication as aforesaid.

Passed July 7, 1903.

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### FRANCHISE TO SIOUX CITY TELEPHONE COMPANY.

AN ORDINANCE granting to T. A. Thompson, William Milchrist, E. W. Rice and George H. Rathman, and their associates, the right to erect and maintain a telephone system in the city of Sioux City, embracing an underground conduit system, posts, poles, wires and other appliances, and authorizing the maintenance of a telephone exchange on the conditions hereinafter provided.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there is hereby granted unto T. A. Thompson, William Milchrist, E. W. Rice and George H. Rathman, and to their successors and assigns, and such other persons as may hereafter become associated with them in the organization and incorporation of an independent telephone company, to be incorporated and known as the Sioux City Telephone Company, the right to construct, maintain and operate a system of telephones in the city of Sioux City, with all necessary poles, conduits, apparatus, fixtures, wires, cables, appliances and connections therefor, and for that purpose they may enter upon and use the streets, alleys, highways, bridges and public grounds of the city of Sioux City, Iowa, and locate, operate and maintain thereon all conduits, manholes, poles, cables, wires, fixtures, appliances and appurtenances necessary and convenient for supplying the citizens of Sioux City and the public in general communication by telephone.

SEC. 2. The following described territory shall constitute and be called "the underground conduit district," and within the said district all the wires and cables of said grantee shall be placed in underground conduits except that such poles, fixtures and aerial wires shall be used as shall be necessary and convenient for the purpose of distribution and connection or for the purpose of crossing streets or water courses, to-wit:

Commencing at the southwest corner of Third and Water streets, thence north along the west line of Water street to the center of the alley between Sixth and Seventh streets, thence east on east and west alley between Sixth and Seventh streets to the center of Nebraska street, thence south on the center of Nebraska street to the center of the alley between Fifth and Sixth streets, thence east on the east and west alley between Fifth and Sixth streets to the center of Jackson street, thence south on the center of Jackson street to the center of Fifth street, thence east on the center of Fifth street to the center of Iowa street, thence south on the center of Iowa street to the south line of Third street, thence west on the south line of Third street to the place of beginning.

SEC. 3. Said grantees herein shall at all times place and keep on file in the office of the city engineer of said city of Sioux City, plans showing the location of each conduit and number of ducts and wires in each conduit; before laying any conduits, grantees herein shall file with the city engineer plans showing where each conduit is to be laid, location of manholes or other openings to gain access to said conduits, and the location of poles, wires and conduits in said city, or changes therein, or extensions thereof, and all construction thereof shall be done under the supervision of the city engineer of Sioux City, Iowa, or the committee of the city council in charge of such matters, who shall in all cases give permanent locations for the placing of poles, wires, conduits and all other fixtures so as to avoid future changes.

SEC. 4. The method employed in laying such conduits shall be such that it will at no time be necessary to remove so much of the paving or make such excavations as to materially impede travel or passage on the street during the operation of laying or repairing said conduits.

SEC. 5. The city of Sioux City reserves the right to place and string on the poles of said grantees the fire alarm and police wires of said city. The said grantees shall, at any time, upon request of the city council, or properly authorized officer, place upon such of its poles and cross arms as may be designated, pins with suitable and proper glass insulators for said fire alarm and police wires. Said grantees shall also reserve one duct in all its underground conduits for the use of the fire alarm and police wires of said city of Sioux City. Said fire alarm and police wires shall be so placed and strung

as not to interfere with the use of the wires of the said grantees, and shall be maintained and kept in repair by the city as long as said wires are strung on the poles of said grantees; provided, that all interference with the workings of said police and fire alarm wires caused by the grantees herein, their agents or employees, shall be rectified at once by and at the expense of said grantees.

SEC. 6. Said grantees, their successors and assigns, in constructing said system shall perform the work with due care and dispatch and avoid all unnecessary obstructions to travel and injury to persons and property; and shall restore all streets, alleys and public grounds, gutters and bridges to their former condition and maintain them in such condition for one (1) year thereafter, and shall not unnecessarily or permanently disturb any gas or water mains, sewers or drains, now or hereafter laid in said streets, alleys or public grounds, unless by consent of said city and shall return the same to their former condition. The work of removal and replacement of the pavement in any and all of the streets, avenues, highways and public places, in, over or through which the wires of the grantees shall be laid or extended, shall be subject to the control of the city engineer and the right is hereby expressly reserved to the city at its option to replace any and all pavement with its own workmen, or with paving experts, and said grantees shall pay the entire cost of the same within thirty (30) days after notice so to do by the city. No part of such poles, supports or wires shall interfere with the proper use of said streets for other lawful purposes, and such poles, posts and supports shall be reasonably straight, with not to exceed an eight inch curvature in poles under thirty-five feet in length, maintained in good repair and shall be shaven and painted by said grantees as the city council of said city shall direct, and all poles over thirty-five feet in length shall be of Idaho cedar.

SEC. 7. Said grantees, their successors or assigns, shall protect and hold said city harmless against all lawful claims for damages or demands for damages to any person or property by reason of the construction and maintenance of said telephone system, or by reason of any act or negligence, nonfeasance or malfeasance, of said grantees, their successors or assigns, contractors, agents or employees, and shall refund to said city all sums which it may be adjudged to pay on any such claims, or which may arise or grow out of the exercise of the rights and privileges hereby granted, or by the abuse thereof



by said grantees, and shall hold the city harmless from all expenses incurred in defending any action in which judgment shall go against the city on account of such act or negligence, nonfeasance, misfeasance, or malfeasance, within thirty days after demand therefor.

SEC. 8. Whenever any of said streets on which any of said poles shall have been set shall be graded, regraded or macadamized, said grantees, their successors or assigns, shall reset and replace the said poles, so as to conform to the street as reconstructed, the same to be at the expense of said grantees.

SEC. 9. Said grantees' rights under this ordinance are expressly made subject to all lawful ordinances now in force or that may hereafter be passed, relative to the use of the public streets and alleys of said city, which are general in operation upon all owners of poles and wires upon said streets and alleys and are not subversive to any of the rights hereby granted.

SEC. 10. Said grantees, their successors or assigns, shall establish a rental for telephone service as follows:

When 1500 telephones shall be in operation, the rental for full copper metallic long distance business telephones shall not exceed thirty-three dollars (\$33.00) per year, and full copper long distance residence telephones shall not exceed twenty-one dollars (\$21.00) per year; and for each additional 500 phones connected up and in operation said grantees, their successors or assigns, may at their option increase the rental for full copper metallic long distance business telephones and for full copper metallic long distance residence telephones three dollars (\$3.00) per year.

SEC. 11. There shall be no charge on telephone rentals until the grantees, their successors, or assigns, shall have in active operation and connected up at least fifteen hundred (1500) bona fide subscribed telephones in the city of Sioux City; and the fact that said grantees have such number of bona fide subscribed telephones shall be made to appear to the satisfaction of the city council of said city and receive their approval before any charges for such rentals shall be made.

SEC. 12. The said grantees, their successors or assigns, in further compensation for the rights and privileges herein granted, shall furnish to the city of Sioux City, from and after its telephones are actually in operation in said city, and thereafter during the continuance of this franchise, telephones not to exceed twenty-five (25) in

number, as may be required in said city, and the same shall be placed, without charge to the city, in public offices and departments for the use of the officers and employees in the transaction of municipal business, and for all public use, in such locations as may be designated and required by the city council; and the said grantees and their assigns, in further consideration of the privileges herein granted, shall furnish such additional telephones as the city may require from time to time at half rates of regular schedules charged other subscribers for similar service, and upon the same terms and conditions as such service is furnished to other subscribers.

SEC. 13. In further consideration of the granting of this franchise, the grantees, their successors and assigns, shall pay annually into the treasury of the city of Sioux City, for the benefit of the street fund, a sum of money equal to 2 per centum of its gross annual telephone rentals.

SEC. 14. It shall be expressly the condition of this ordinance that if the said grantees, their successors or assigns, shall either sell out to, lease to, or enter into any agreement with any existing telephone company, its successors or assigns, doing business in the city of Sioux City, which would tend to make competition inoperative, then this ordinance shall become null and void, and all properties and rights of said grantees, their successors or assigns, shall be forfeited to said city.

SEC. 15. The said grantees herein shall commence the construction of the underground conduit and telephone system as herein provided for within eight months from the date of the passage of this ordinance, and such construction work shall continue without interruption until a telephone exchange and system is constructed and provided for with a capacity for connecting not less than fifteen hundred telephones; provided, however, that such time shall be extended so far as rendered necessary by unavoidable delay in procuring material, or by strikes, injunctions or acts of Providence.

SEC. 16. Within thirty days after the passage of this ordinance the grantees herein shall file with the city clerk of the city of Sioux City their written acceptance of such ordinance and the provisions thereof, and file their bond with sureties thereon to be approved by the city council, in the sum of three thousand dollars (\$3,000.00), on the condition that they will accept and carry out in good faith all the terms, conditions and provisions of the said ordinance; and when

the said grantees, or their assigns, shall have erected the said telephone system with a capacity for connecting fifteen hundred (1,500) phones, as hereinbefore provided, then the said bond shall be cancelled and returned to the said grantees.

SEC. 17. To the end that the citizens of Sioux City shall have the best possible service, the grantees, their successors and assigns, hereby obligate themselves to permit, upon fair and reasonable terms and conditions, any other telephone company operating a telephone line, or lines, in territory adjacent to Sioux City and desiring to enter Sioux City with their line, to connect with the exchange of the grantees; provided the lines so desiring connection are of such construction as to be capable of affording good service.

SEC. 18. The rights and privileges hereby granted shall continue and remain in full force for a period of twenty-five (25) years from and after its approval by the vote of the citizens of Sioux City, Iowa, and its acceptance by the said grantees.

SEC. 19. This ordinance shall be published according to law at the expense of the grantees herein.

Passed September 22, 1903.

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### **FRANCHISE TO EDWARD TILDEN AND SAMUEL McROBERTS FOR ELECTRIC LIGHT AND POWER.**

AN ORDINANCE granting to Edward Tilden and Samuel McRoberts, their successors and assigns, the authority to erect, maintain and operate in the city of Sioux City, for a term of twenty-five (25) years, an electric light and power plant, and for said purpose to lay, construct, erect and maintain all necessary conduits, poles, cables, wires, apparatus and equipment in and upon the streets, alleys, avenues and public grounds of the city, and to confer power upon said grantees, their successors and assigns, to appropriate and condemn private property for such purpose.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there be and is hereby granted to Edward Tilden and Samuel McRoberts, hereinafter called the grantees, their successors and assigns, the authority to erect, maintain and operate in the city of Sioux City, for a term of twenty-five (25) years, an

electric light and power plant, and for such purpose to lay, construct, erect, and maintain all the necessary conduits, poles, cables, wires, apparatus and equipment in and upon the streets, alleys, avenues and public grounds of the city, and power is hereby granted to and conferred upon the said grantees, their successors and assigns, to appropriate and condemn private property for such purpose.

SEC. 2. The grantees, their successors and assigns, shall place and maintain all wires and cables within properly constructed underground conduits within the following described district, to-wit:

Commencing at the southwest corner of Third and Water streets, thence north along the west side of Water street to the center of the alley between Sixth and Seventh streets, thence east on the east and west alley between Sixth and Seventh streets to the center of Nebraska street, thence south along the center of Nebraska street to the center of the alley between Fifth and Sixth streets, thence east on the east and west alley between Fifth and Sixth streets to the center of Jackson street, thence south along the center of Jackson street to the center of Fifth street, thence east along the center of Fifth street to the center of Iowa street, thence south along the center of Iowa street to the south line of Third street, thence west along the south line of Third street to the place of beginning.

SEC. 3. Before laying or constructing any such conduit or any manhole or underground connection or erecting any poles, there shall be filed with the city engineer a written statement, specifying the streets, alleys and public grounds, or parts thereof, in which it is proposed to locate such conduits, manholes, underground connections or poles, and such statement shall be accompanied with a map, plans and specifications showing the proposed location of such conduits, manholes, underground connections and poles with reference to the street, alley and lot lines, the size and dimensions of such conduits, manholes, underground connections and poles, and the distance beneath the surface of the ground it is proposed to lay, construct, or set the same. If the proposed locations of such conduits, manholes, underground connections or poles shall interfere with the reasonable and proper use and maintenance of any other conduits, manholes, underground connections, sewer, main, pipe or structure upon or under the streets, alleys, or public grounds of the city, the city engineer shall, within a reasonable time after the filing of such map, plans and specifications, make the necessary and proper changes therein.

Such map, plans and specifications, as changed and corrected, together with the said original statement, shall remain on file in the office of the city engineer and after the approval of the same by the city council, said engineer shall issue a permit to excavate in the streets, alleys and public grounds and to erect poles for the purposes herein contemplated, in accordance with said corrected map, plans and specifications; and no such excavation, construction or erection shall be commenced before the issuance of the permit herein provided for, and all of said work shall be done in accordance with the said corrected map, plans and specifications. This section shall not be construed as obligating the grantees to file a statement, map, plans or specifications applying to all streets, alleys and public grounds of the city, but only to such streets, alleys and public grounds proposed to be entered upon and occupied in the original construction of said plant; but said grantees shall file additional statements, maps, plans and specifications in accordance with this section, whenever extension of said original construction is proposed, and new streets, alleys and public grounds, or parts thereof, are proposed to be entered upon and occupied.

SEC. 4. All conduits, manholes, underground connections and poles shall be placed in the alleys of said city so far as practicable. The laying and constructing of all conduits, manholes and underground connections and the setting of all poles shall be under the supervision of the city engineer, and all wiring and placing of electrical apparatus for conducting electricity shall be under the supervision of the city electrician. In the location, construction or repair of any conduit, manhole, underground connection, or in the setting of any poles, the excavation or obstruction made or placed in any street, alley or public ground shall be properly guarded, and all pavement taken up or displaced shall be speedily replaced, under the supervision of the city engineer; and the grantees, their successors or assigns, shall pay all damages for injuries to persons or property as well as to the city of Sioux City, resulting from the negligent construction or maintenance of such conduits, manholes, underground connections or excavations, or resulting from the negligent delay or failure to restore the street, alley or public ground to its proper condition, or such failure to properly guard such excavation. If the grantees, their successors or assigns shall fail to repair any street, alley or public ground after excavating the same, after five (5) days' notice

in writing so to do, given to their local representative, then the city of Sioux City may make such repairs at the expense of the grantees, their successors or assigns. All electric wires shall be placed upon poles not less than 40 feet in length in the business district and not less than 30 feet in length in the residence district, and the wires shall in no instance be placed less than 25 feet from the ground, and all poles located upon the streets shall be painted within a reasonable time after the construction of the plant.

SEC. 5. In consideration of the rights and privileges herein granted the grantees, their successors and assigns, agree to accept the same, subject to the condition that during the life of this franchise the price to be charged for electricity furnished private consumers for light and power shall not exceed the established rate now charged private consumers in the city of Sioux City for the same. The said grantees, their successors and assigns, shall have the right to contract for the furnishing of electricity for light and power to the city of Sioux City for use on its streets, alleys, avenues and public grounds, and in its public buildings, and at such prices as may be mutually agreed upon between the grantees, their successors and assigns, and the said city. And the said grantees, their successors and assigns, agree at all times during the life of this franchise to furnish electricity of a standard quality and at all times to use due diligence and care in maintaining its plant and wires to furnish such electricity to said city and its inhabitants. Any user of electricity, upon filing a written complaint with the city clerk, shall have the right to have his electric meter and service tested and examined by the city electrician, or by any person appointed by the city council for such purpose. If the meter or service is found to be deficient in any respect, the grantees, or their assigns, shall immediately remedy the defect, and shall pay to the person authorized to make the examination or test, a fee of one dollar (\$1.00). If the meter or service is found to be accurate and in good condition the said fee shall be paid by the person causing the examination or test to be made.

SEC. 6. The grantees, their successors and assigns, further agree that in consideration of the privileges herein granted, they will pay to the city of Sioux City each year two (2) per cent of their gross receipts from private consumers within said city, said payments to be made semi-annually on the 15th days of January and July in each year, based upon the receipts of the six (6) preceding calendar

months. And the city council shall be entitled to have the books of the grantees, their successors and assigns, examined by a competent accountant appointed by it, for the purpose of ascertaining whether said city is in fact receiving the full amount to which it is entitled, from time to time.

SEC. 7. The franchise herein contemplated is granted upon the express condition that if the said grantees, their successors and assigns, shall, without the consent of the city secured by ordinance, either sell or lease said plant to any competing person, firm or corporation other than the city of Sioux City, or purchase the plant of any competing company, or enter into any contract with any other competing company, the effect of which would be to destroy competition between the parties to the agreement, then said franchise shall cease and terminate and all properties and rights of the grantees, their successors and assigns, shall be forfeited to the city of Sioux City, except this provision shall not apply to or affect the holders of negotiable bonds issued by the grantees, their successors or assigns, or mortgages or deed of trust given to secure the same, not exceeding in amount at the time of issue the value of the physical plant.

SEC. 8. It is a further condition of the granting of this franchise that the grantees, their successors or assigns, shall perform work thereunder in the way of new construction which shall involve the expenditure of at least twenty thousand dollars (\$20,000.00) within one (1) year from and after the publication and acceptance of this ordinance, as hereinafter provided; and in the event of their failure so to do, all rights hereby granted shall fully terminate.

SEC. 9. This ordinance is to be passed and adopted subject to the approval thereof by the electors of the city of Sioux City, as provided by the statutes of Iowa, and upon the passage of this ordinance by the city council said council shall provide for the submission of the question of the granting of this franchise, upon the conditions in this ordinance contained, to the electors of said city, as provided by law; and if approved by a majority of the electors voting thereon at said election, then this ordinance shall be published, as provided by law, and upon such publication and the acceptance by the grantees, as hereinafter provided, shall be in full force and effect.

SEC. 10. Within fifteen (15) days after the passage of this ordinance and its approval by the electors of said city, the grantees herein, their successors or assigns, shall file with the city clerk an ac-

ceptance of the provisions of this ordinance, and upon so doing it shall become a binding contract between said city and the grantees, their successors and assigns, provided, however, that the grantees shall pay all costs incident to the submission of said question at said election, as provided by law.

Passed September 27, 1904.

The above franchise assigned to the Sioux City Service Company in 1904.

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### **FRANCHISE TO EDWARD TILDEN AND SAMUEL McROBERTS FOR HEATING PLANT.**

AN ORDINANCE granting to Edward Tilden and Samuel McRoberts, their successors and assigns, the authority to erect, maintain and operate in the city of Sioux City, for a term of twenty-five (25) years, a steam and hot water heating plant, and for said purpose to lay, construct and maintain all necessary conduits, pipes, mains and devices in and upon the streets, alleys, avenues and public grounds of said city, and to confer power upon said grantees, their successors and assigns, to appropriate and condemn private property for such purposes.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there be and there is hereby granted to Edward Tilden and Samuel McRoberts, hereinafter called the grantees, their successors and assigns, the authority to erect, maintain and operate in the city of Sioux City for a term of twenty-five years (25) years, a steam and hot water heating plant, and for said purpose to lay, construct and maintain all the necessary conduits, pipes, mains, devices and structures in and upon the streets, alleys, avenues and public grounds of said city, and power is hereby granted to and conferred upon the said grantees, their successors and assigns, to appropriate and condemn private property for such purposes.

SEC. 2. Before laying any such conduits or mains or commencing work thereon there shall be filed with the city engineer a written statement specifying the streets, alleys and public grounds, or parts thereof, in which it is proposed to locate such conduits and mains, and such statement shall be accompanied with a map, plans and specifications showing the proposed location of such conduits and mains, underground connections and manholes with reference to the street,



alley and lot lines, the size and dimensions thereof and the distance beneath the surface of the ground it is proposed to lay the same. If the proposed location of such underground conduits, mains or connections, shall interfere with the reasonable and proper use and maintenance of any other conduit, sewer, main, pipe, manhole or structure legally occupying such streets, alleys or public grounds, the city engineer shall, within a reasonable time after the filing of such map, plans and specifications, make the necessary and proper changes therein. Such map, plans and specifications as changed and corrected, together with said original statement, shall remain on file in the office of the city engineer and after the approval of the same by the city council, said engineer shall issue a permit to excavate in the streets, alleys and public grounds for the purposes herein contemplated, in accordance with said corrected map, plans and specifications, and no such excavation or construction shall be commenced before the issuance of the permit herein provided for, and all said work shall be done in accordance with the said corrected map, plans and specifications. The laying and constructing of all conduits, pipes, mains and manholes shall be under the supervision of the city engineer. This section shall not be construed as obligating the grantees to file a statement, map, plans or specifications applying to all streets, alleys and public grounds of the city, but only to such streets, alleys and public grounds proposed to be entered upon and occupied in the original construction of said plant; but said grantee shall file additional statements, maps, plans and specifications, in accordance with this section, whenever extensions of said original construction are proposed and new streets, alleys and public grounds, or parts thereof, are proposed to be entered upon and occupied.

SEC. 3. All conduits, pipes, mains, manholes and connections shall be placed in the alleys of said city so far as practicable. In the location, construction or repair of any conduit, pipe, main, manhole or underground connection, the excavation or obstruction made or placed in any street, alley or public ground shall be properly guarded and all pavement taken up or displaced shall be speedily replaced, under the supervision of the city engineer; and the grantees, their successors and assigns, shall pay all damages for injuries to person or property as well as to the city of Sioux City resulting from the negligent construction or maintenance of such pipes, conduits, mains, manholes, excavations or other structures, or result-

ing from negligent delay or failure to restore the street, alley or public ground to its proper condition, or such failure to properly guard such excavations. If the grantees, their successors or assigns, shall fail to restore any street, alley or public ground after excavating the same, after five (5) days' notice in writing so to do, given to their local representatives, then the city of Sioux City may make such repairs, at the expense of said grantees, their successors and assigns. Nothing in this ordinance contained shall be construed to abridge the right or power of the city to make further regulations relative to the use of the streets, alleys and public grounds by the grantees or their assigns.

SEC. 4. The franchise herein contemplated is granted upon the express condition that if the said grantees, their successors or assigns, shall, without the consent of the city secured by ordinance, either sell or lease said plant to any competing person, firm or corporation other than the city of Sioux City, or purchase the plant of a competing company or enter into any contract with any other competing company, the effect of which would be to destroy competition between the parties to the agreement, then said franchise shall cease and terminate and all properties and rights of the grantees, or their successors or assigns, shall be forfeited to the city of Sioux City, except this provision shall not apply to or affect the holders of negotiable bonds issued by the grantees, their successors or assigns, or mortgages or trust deeds given to secure the same, not exceeding in amount at the time of issue, the value of the physical plant. It is a further condition of the granting of this franchise that the grantees, their successors and assigns, shall perform work thereunder, in the way of new construction, which shall involve the expenditure of at least twenty thousand dollars (\$20,000.00), within one year from and after the publication and acceptance of this ordinance, as hereinafter provided, and in the event of their failure to do so, all rights hereby granted shall fully terminate.

SEC. 5. This ordinance is passed and adopted subject to the approval thereof by the electors of the city of Sioux City, as provided by the statutes of Iowa, and upon the passage of this ordinance by the city council said council shall provide for the submission of the question of the granting of this franchise upon the conditions in this ordinance contained to the electors of said city, as provided by law; and if approved by a majority of the electors voting thereon

at said election, then this ordinance shall be published, as provided by law, and upon such publication and the acceptance by the grantees, as hereinafter provided, shall be in full force and effect.

SEC. 6. The grantees, their successors and assigns further agree that in consideration of the privileges herein granted, they will pay to the city of Sioux City each year two (2) per cent of their gross receipts from private consumers within said city, said payments to be made semi-annually on the 15th days of January and July in each year, based upon the receipts of the six preceding calendar months. And the city council shall be entitled to have the books of the grantees, their successors and assigns, examined by a competent accountant appointed by it for the purpose of ascertaining whether said city is, in fact, receiving the full amount to which it is entitled, from time to time. Provided, that during the first five (5) years of the existence of this franchise, the grantees, their successors and assigns, shall not be required to pay two (2) per cent of their gross receipts to the city.

SEC. 7. Within fifteen (15) days after the passage of this ordinance and its approval by the electors of said city, the grantees herein, their successors or assigns, shall file with the city clerk an acceptance of the provisions of this ordinance, and upon so doing it shall become a binding contract between said city and the grantees, their successors and assigns; provided, however, that the grantees shall pay all costs incident to the submission of said question at said election, as provided by law.

Passed Sept. 27, 1904.

This franchise assigned to the Sioux City Service Company in 1904.

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## FRANCHISE TO SIOUX CITY TRACTION COMPANY.

AN ORDINANCE authorizing the erection of the necessary poles, the erection and stringing of the necessary wires therefor, and the laying down of tracks for street railway purposes and the operation of a street railway by the Sioux City Traction Company, its successors or assigns, on the streets, alleys, bridges, and public places in the corporate limits of the city of Sioux City, as hereinafter designated.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

That, Whereas, on the 14th day of July, 1908, the city council adopted a resolution which is recorded in book "O" on page 95, instructing the city clerk to submit the question of granting the franchise to the Sioux City Traction Company over certain streets and alleys, to the vote of the people; and

Whereas, due and legal notice thereof as required by the statutes of the state of Iowa was published for the statutory length of time; and

Whereas, at a special election held in the city of Sioux City, Iowa, on the 11th day of August, 1908, the voters at said election voted in favor of granting the franchise as applied for by the said Sioux City Traction Company to the said company;

SECTION 1. Now, Therefore, It is hereby granted to the Sioux City Traction Company, its successors and assigns, subject to regulations now or hereafter provided by law, the right and privileges and it is hereby authorized to erect and construct the necessary poles, string the necessary wire therefor, and locate, lay down and construct a single or double track for street railway, together with all the necessary and convenient tracks, sidetracks, turn-outs, switches and Y's and all the necessary curves at the corners and intersections of said streets along said lines, and at the ends of said lines over and upon the streets, alleys, bridges and public places in said city, or portion thereof hereinafter named; and to operate and maintain such railway for carrying passengers, freight, baggage and express for and during the term of twenty-five (25) years from the date of the passage of this ordinance; provided that the Sioux City Traction Company shall build and operate the tracks and lines from the intersections of East Fourth street and Steuben street, north on Steuben street to East Seventh street, and east on East Seventh street to Dubuque street, and north on Dubuque street to Fourteenth street, by January 1, 1909; and on Eighteenth street from Pearl street to Summit avenue and north on Summit avenue to Twenty-fourth street, by November 1, 1909; and shall build and operate the line west on Thirteenth street from Jennings street to Jones street, and north on Jones street to Twenty-eighth street; or west on Thirteenth street from Jennings to Jones street, thence north on Jones street to its intersection with Ingleside avenue, thence along said Ingleside avenue to the intersection with Seventeenth

street, and west on Seventeenth street to Jones street, and north on Jones street to Twenty-eighth street; or east on Thirteenth street to Virginia street, north on Virginia street to Dale street, and along Dale street to Ingleside avenue, and on Ingleside avenue to Seventeenth street, west on Seventeenth street to Jones street and north on Jones street to Twenty-eighth street, by November 1, 1911, as provided for herein. And it is further provided that to insure the building and operation of the above mentioned lines or extensions within the time specified herein, the Sioux City Traction Company shall make, execute and deliver a bond in the penal sum of twenty-five thousand dollars (\$25,000.00) payable to the city of Sioux City, which bond shall be conditioned to the effect that if said extensions are not built and operated by the above mentioned dates, then the said company shall forfeit and pay the sum of twenty-five thousand dollars (\$25,000.00) to the city of Sioux City, but if so built and operated, then said bond shall be void. But all other tracks designated in this ordinance shall be built whenever the conditions shall warrant the same under the terms of this ordinance, and all rights and privileges herein granted shall cease and terminate to any street or streets hereinafter named which street or streets is not occupied by a track upon the dates above set forth, but shall be in full force and effect upon any street or streets upon which the Sioux City Traction Company has built its track or tracks by the time herein set forth and according to the terms of this ordinance.

SEC. 2. That said poles may be erected, wires strung, and the track or tracks of the line of railway may be located, laid down and constructed over and upon and operated upon the streets or parts of streets, alleys, cross streets and bridges as follows, to-wit:

On Transit avenue from the east line of Henrietta Place to its intersection with Morningside avenue, and over and along Morningside avenue to the west line of block twenty-four (24) in Morningside, an addition to Sioux City;

From the intersection of East Fourth street and Steuben street north on Steuben street to East Seventh street, and east on East Seventh street to Dubuque street, and north on Dubuque street to Fourteenth street;

Jackson street, from Fifth street, south, to the south line of Third street;

Third street, from Jackson street, west, over and across Perry creek bridge, to the approach of the combination bridge; provided that a single track only shall be laid over said present Perry creek bridge and that such track shall be placed as near the north side of the bridge as possible; and in order to permit the use of said street for steam and interurban roads, provided further that the track or tracks shall be placed in such location and shall be subject to such further changes as may from time to time be required by the city council, such changes as to location not to be inconsistent with the continuous and practical operation of the lines, and such changes to be made without expense to the Sioux City Traction Company;

Fifth street, from Perry creek, to the east side of Wall street;

From the south line of Twenty-eighth street at its intersection with the Floyd river road, thence northeasterly parallel with the Illinois Central track, and over and along the Floyd river road to its intersection with Adams avenue; thence on and along Floyd avenue in Leeds to its intersection with Cleveland avenue in Leeds, as the line is now located;

From the south line of Riverside park addition on Riverside boulevard to Hornick street;

Across Estee street, Ross street, on West First street, from the southeast corner of block twenty-one (21) in Davis addition to the northeast corner of block twenty-seven (27) in said addition; across George street, across Myrtle street, across Center street and across all alleys between block twenty-five (25) and block seventeen (17), all in Sioux City Davis addition, also across Cook street, across Main street, across West Second street, across Sioux street, across West Third street, across Market street, across Bluff street, across Perry street, across Kansas street, and on West Fourth street, beginning at a point one hundred (100) feet west of Bluff street, and along said West Fourth street to the west line of lot one (1) in block thirty-nine (39), Sioux City proper;

Across the alleys in block seven (7) seventeen (17), twenty-one (21), twenty-eight (28), thirty-three (33), thirty-nine (39) and forty-four (44), in Sioux City proper, and across Perry creek bridge;

West Third street from the east line of Helmer street to the west line of Leonard street;

Over and upon Sioux street, connecting the Riverside line with the West Third street line, with necessary curves. On Cook street, between the Riverside line and the West Third street line, with the necessary curves;

West on Eighteenth street, from Pearl street to Summit avenue, and north on Summit avenue to Twenty-fourth street;

The right to abandon the present line from Thirteenth street to Fourteenth street on Jennings street, and build in place thereof a line west on Thirteenth street, from Jennings street to Jones street, and north on Jones street to Twenty-eighth street, or west on Thirteenth street from Jennings street to Jones street, thence north on Jones street to its intersection with Ingleside avenue, thence along said Ingleside avenue to the intersection with Seventeenth street and west on Seventeenth street to Jones street, and north on Jones street to Twenty-eighth street, or east on Thirteenth street to Virginia street, north on Virginia street to Dale street, and along Dale street to Ingleside avenue and on Ingleside avenue to Seventeenth street, west on Seventeenth street to Jones street, and north on Jones street to Twenty-eighth street, with necessary curves. Provided that said rights on Jones street, between Fourteenth and Seventeenth streets, shall not become operative until the consent of the property owners on said Jones street between Fourteenth and Seventeenth streets has been obtained; but some one of the proposed Jones street extensions as above set forth shall be built by November 1, 1911;

The right to abandon the present line from the intersection of Leech street and Rustin avenue, east on Leech street to Cecelia avenue, and south on Cecelia avenue to the intersection of Cecelia avenue and Dodge street, and build in place thereof a line from the intersection of First street and Fairmount avenue, and south on Fairmount avenue to Leech street, east on Leech street to Rustin avenue; south on Rustin avenue to Dodge street, and east on Dodge street to the intersection of Cecelia avenue and Dodge street; south on Cecelia avenue to the intersection of Cecelia avenue and Morningside avenue, and east on Morningside avenue to Peters Park, with necessary curves;

The right to abandon the present surface line on Iowa street, between Fourth and Dace streets, and on Dace street, between Iowa street and Wall street, and build in place thereof either a single or double track from Fourth street to Dace street on Wall street, and on

Chambers street from Dace street to and across the Floyd river bridge to the Armour Packing plant, with all necessary curves; and along the street deeded by the Armour Packing Company to the city of Sioux City, to its intersection with the right of way of the old Rapid Transit railway, the intention being to give a right of way in front of the Armour packing plant;

Provided that if at any time during the life of this franchise a viaduct shall be built, as provided for by statute, on Wall street between Fourth street and Dace street, then the Traction Company shall abandon its franchise on Iowa street between Fourth and Dace streets, and shall use in place thereof the franchise herein granted on Wall street from Fourth street to Dace street, and use said viaduct upon such terms as may be reasonable and as provided for by law;

The right to extend the Crescent park line to Logan park cemetery, commencing at the end of the present Crescent park street car track at the intersection of Myrtle and Twenty-eighth streets, thence running west on Twenty-eighth street to the center of its intersection with Rebecca street, thence north on Rebecca street to its extension in the public highway known as the re-location of the Sioux City and Rock River road, and thence northerly along said road through sections twenty (20), seventeen (17), eight (8) and seven (7), in township 89, range 47, to Logan park cemetery, and to a point in said road at the quarter post on the east line of said section seven (7).

SEC. 3. All tracks of the entire system within the limits of the city of Sioux City shall be standard gauge and shall be laid as near the center of the street as may be practicable, except where such tracks are already laid on the side of the street or road, and where a double track is laid in any street it shall be so located that the center line between said double tracks shall be at or near the center of such street; and when double tracks are used they shall not be over six feet apart.

The said company may construct and maintain tracks, turn-outs, switches and Y's along said tracks, or leading from such tracks, or at the end of said tracks to connect with its own tracks, or leading to its depots, stations, stables and car barns, wherever the same may be situated, and all switches shall be as near the center of the street as possible, and no switch shall extend across any side street.



SEC. 4. The tracks for said street railway shall be laid, constructed and operated so as to conform to and with the established grade of the streets upon which the same may be located, wherever the city has established or shall establish such grades. Where the streets are not graded said tracks shall be laid so as to conform with the surface of said streets or roads; provided, however, that whenever the city shall bring said streets or roads to the established grade, then said track or tracks shall be raised or lowered, as the case may be, at the expense of the said grantee, its successors or assigns, to conform to and with such grade; and provided, further, that said grantee, its successors or assigns, in the construction or repair of such street railway, shall restore all streets, whether paved or not, to as good condition as formerly, and shall at all times keep and maintain said tracks in good repair and shall hold the city harmless from any damage caused by the failure so to do.

SEC. 5. The rate of fare over any of the lines of said railway herein contemplated shall not exceed five cents (5c) for each and every passenger, including ordinary hand luggage; the rate of fare on the Riverside line shall not exceed five cents (5c); and said company shall have the right to refuse transfers to or from said Riverside line and other lines of street railway running parallel with each other at a distance apart of not exceeding two (2) city blocks; but when the city has a population of 60,000 or over, according to the state or federal census, thereafter transfers shall be given to and from points on the Riverside line on the same basis as transfers are given on other lines in the city at that time; and no fare shall be collected from any child under six years of age when accompanied by an adult person, unless such child occupies a seat, and only half fare for children between the ages of six and twelve years.

SEC. 6. The city of Sioux City shall not be held liable for any damages that may be occasioned by the breaking of any gas or water pipes or from any delay that may be occasioned by the construction of sewers, the laying of water or gas pipes, or the necessary repairing of the same, or from the improvement and repair of any street, unless there be unreasonable delay; and if it becomes necessary for the purpose of making repairs and improvements on any of said streets, the city council may suspend the operation of the said cars for a reasonable length of time for the purpose of making such repairs and improvements.

SEC. 7. The proprietors of said lines of street railway shall so make their grade and lay their tracks that foot passengers, carriages and all other vehicles can conveniently cross the same at street intersections and at such other points as the city council may from time to time direct. Any neglect or omission in this regard whereby any person shall be injured or sustain damage, shall render said company, its lessees or assigns, liable for such injury or damage.

SEC. 8. Whenever, by resolution of the city council, any street or part of street upon which such tracks shall be laid, shall be ordered to be paved or macadamized, either at the expense of the city or the owners of abutting property, then the said proprietors of the said street railway shall pave or macadamize in the manner and time directed, the space between their rails and one foot outside thereof, and shall thereafter keep the same between their rails clean and in good repair; and shall keep clean and in good condition and repair the space between their tracks on all bridges that they cross; and the tracks of the said street railway shall not be elevated above the surface of the paved streets.

SEC. 9. The owners and proprietors of said lines of street railway shall repair any and all damages done to the streets, curbs, sidewalks, gutters, alleys and other such property caused by the construction and repairing of such tracks along the streets and alleys, as herein provided for, and shall keep clean and in good order the space between the rails; and they shall also protect the city against all claims for damages caused by the construction, management or operation of the tracks, poles or wires provided for herein. They shall be considered common carriers of persons and property, and as such shall receive, carry and deliver persons and their hand luggage, and may at their option, receive, carry and deliver express, goods and freight.

SEC. 10. In constructing said lines of street railway, the proprietors are hereby authorized to cross any other railway upon the several streets, and nothing in this ordinance shall be construed to deprive the city of the right to authorize other railway companies to cross such tracks as may be laid under this ordinance; provided, that said city shall never be at any expense for enforcing the rights of said company under this section.

SEC. 11. The proprietors of said street railway shall use cars or carriages of modern style, with all desirable modern improve-

ments, and shall at all times keep them in clean and comfortable condition. The cars or carriages shall at all times be propelled by electric or other improved power, except steam power; and said company may use either the overhead or the conduit system. If the overhead system is used, poles therefor shall be set in the ground at least six feet, and shall be kept nicely painted, provided that iron poles shall be used within fire district, and be placed along the curb lines at such distances apart as may be necessary for the proper construction of such system; and the wire shall be used only for the purpose of carrying electric current for the operation of said street railway system. Said street railway company shall have the right of way along, over and under said streets, avenues and alleys, and public grounds and areas, for the purpose of establishing, operating and maintaining the wires, posts, poles, brackets, guys, supports, fixtures and conduits necessary or appertaining to said business.

SEC. 12. All cars operated after sunset shall be provided with proper signal lights, and cars shall be run over every part of such track or tracks as often as every thirty minutes, and shall be kept running not less than fifteen hours per day; and the proprietors shall provide, furnish and run a sufficient number of cars or carriages at all times to accommodate the traveling public, as determined by the city council.

SEC. 13. The conductors and drivers of the cars may be made, by appointment of the mayor, temporary policemen, at the expense of the proprietors of said street railway and as such authorized to arrest all persons found impeding or hindering the running or operation of the cars on such tracks, contrary to the provisions of this ordinance.

SEC. 14. The grantee, its successors or assigns, in case of heavy snows, shall keep their said tracks free from such snow and from the obstruction occasioned by the same. The snow so removed from said tracks shall be so disposed of as not to interfere with the public travel and streets by the street commissioner and the said traction company shall pay its proportionate share thereof.

SEC. 15. The grantee, its successors and assigns, shall, in addition to other taxes lawfully assessed and collected, pay into the city treasury of the city a license fee of twenty-five dollars (\$25.00) per annum for each and every car used by the said company during the

period of this franchise; but when the city shall have a population of 75,000 or over, as shown by the state or federal census, the grantee, its successors or assigns, shall pay to the city treasurer of the city of Sioux City two (2) per cent of the gross passenger receipts of the entire system owned or operated by it within the limits of the city of Sioux City, said payment to be made in lieu of car license and in lieu of any compensation that the city may lawfully exact during the life of this franchise, except taxes and special assessments, such payment to be made semi-annually on the 1st of January and July of each year, and shall be accompanied by a sworn statement of some officer competent to make the same, showing the total passenger receipts of the system for the period preceding the payment, and for the purpose of ascertaining the truth of the statement, the city council shall have the right annually to appoint a competent accountant to examine, and the grantee, its successors and assigns, shall permit the examination by him, of the books of the company.

SEC. 16. If freight is handled other than in the ordinary passenger cars or carriages the manner in which, and the time of handling said freight shall at all times be subject to the reasonable regulations of the city council, and freight shall be handled only on such streets described in this ordinance as the city council shall from time to time designate.

SEC. 17. The conductor or person in charge of a car shall announce to passengers the name of the cross streets as the car approaches them, and shall stop the car at the side of any cross or intersecting street at which the passenger wishes to get on or off.

SEC. 18. On all lines where sidewalks and crossings are, or should be, in the judgment of the street commissioner or city council, maintained, the grantee, its successors and assigns, shall extend, construct and maintain suitable plank sidewalks for crossings not less than four feet in width, between the tracks, and suitable plank crossings and approaches not less than sixteen feet in width shall be constructed and maintained at or near the center of traveled street intersections for wagons and teams, all such construction to be under the direction and supervision of the street commissioner.

SEC. 19. The speed at which the cars shall run, not only on the lines mentioned in this ordinance, but over all the lines owned by the Sioux City Traction Company within the limits of the city

of Sioux City, shall not exceed fifteen (15) miles per hour, on the entire system.

SEC. 20. That said Sioux City Traction Company is required to permit the use, for interurban business only, but not for local street railway business, of such of its terminals, tracks, poles and wires as are located in the streets, alleys and public places of Sioux City, and such portion of its tracks, poles and wires as may cross property owned by the said Sioux City Traction Company in said Sioux City, by the passenger and combination baggage cars of interurban railway companies for the transportation of mail, express, baggage, freight and passengers; and said Sioux City Traction Company shall furnish to said interurban railways electric power for the operation of the cars of such railways, and the transaction of their business in the said city of Sioux City as to said tracks so furnished, but said Sioux City Traction Company shall not be required to furnish electric power except during such hours as its street cars may be in operation, nor shall it be required to furnish power when it has not power houses and machinery sufficient therefor, and it shall have the preference in the use of its own tracks and power so that its own cars shall not be delayed in transit nor shall it be required to furnish car houses or car barns or access thereto. Said interurban railways shall pay a reasonable compensation for any privileges and power that may be furnished them under this provision. If an agreement for the use of the facilities so furnished and the compensation for the same cannot be made between the parties interested, the question as to the amount of such compensation and conditions under which said facilities shall be furnished, used and operated, shall be heard and determined by the board of railroad commissioners of the state of Iowa, on petition to the said board by either party to the controversy, ten days' notice in writing of such petition being served upon the opposite party, and any order entered by said board of railroad commissioners, or court upon appeal, shall be subject to modification or review from time to time, upon notice given as provided by law. The provisions of this section are for the benefit of any interurban railway company that shall hereafter desire to use and avail themselves of the benefits of this section.

SEC. 21. This ordinance shall be published as required by law in at least two daily or weekly newspapers published in the city of Sioux City, at the expense of the said Sioux City Traction Company,

said publication to be made before the people of Sioux City vote on the question of the passage of this ordinance.

SEC. 22. Within ninety (90) days after the final passage of this ordinance by the city council, the traction company shall file with the city clerk its written acceptance of the rights and privileges herein granted. And this ordinance shall then again be published as required by law, and upon such publication and such acceptance by the grantees as herein provided, shall be in full force and effect.

Passed August 15, 1908.

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### OTHER STREET RAILWAY FRANCHISES.

A number of franchises for street railways were granted in Sioux City in the year 1883 and subsequently. Some of the lines so authorized were never constructed, while others which were in operation were consolidated in the year 1899 in one system under the name of the Sioux City Traction Company. The property and franchises of this company, in the year 1910, were assigned to the Sioux City Service Company. It has not been thought necessary to reprint all these ordinances, as they do not contain general information, and all of them may be found in the records in the office of the city clerk.

In addition to the franchise granted to the Sioux City Traction Company in 1908, which is printed in full in this book, the franchises of the Sioux City Service Company for street railways, with date of granting, term and expiration, are as follows:

On Fifth street, from Perry creek to Wall street, granted May 4, 1887, for thirty years; expires May 4, 1917;

On Jackson street, from Fifth to Third street, and on Third street from Jackson to Water street, granted May 4, 1887, for thirty years; expires May 4, 1917;

Leeds line, from Twenty-eighth street to Adams avenue, granted May 19, 1894, for twenty years; expires May 19, 1914;

Leeds line, Adams avenue to east end, granted January 12, 1892, for thirty years; expires January 12, 1922;

College line, Leech street to Peters park, granted August 17, 1897, for thirty years; expires August 27, 1927;

Morningside line, from Henrietta place to east end of Morning-

side avenue, granted July 26, 1887, for thirty years; expires July 26, 1917;

Riverside line, Riverside park to Hornick street, granted November 22, 1892, for twenty-five years; expires November 22, 1917;

Riverside line, from Hornick street to Sioux bridge, granted October 7, 1902, for twenty-five years; expires October 7, 1927;

On Court street, from Twenty-first to Twenty-eighth street, granted October 7, 1902; for twenty-five years; expires October 7, 1927;

Crescent park line, from Panoah street to end of line, granted October 7, 1902, for twenty-five years; expires October 7, 1927;

On Twenty-ninth street, between Pierce and Jackson streets, granted October 7, 1902, for twenty-five years; expires October 7, 1927;

On Fourth, Pearl, West Third, West Seventh, Pierce, Court, Jennings, Jones, and Sixth streets, stock yards line, East Fourth street to Greenville, granted February 19, 1889, for fifty years; expires February 19, 1939.

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### FRANCHISE TO SECURITY BANK BUILDING COMPANY FOR STEAM HEATING.

AN ORDINANCE granting to the Security Bank Building Company, its successors and assigns, the privilege of digging trenches and laying pipes for steam-heating, along and across certain streets and alleys.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there is hereby granted to the Security Bank Building Company, its successors and assigns, for the period of twenty-five (25) years from and after the passage of this ordinance, the right and privilege of digging trenches and laying pipes for the purpose of transmitting and furnishing steam heat and power, and for no other purpose, in the manner herein specified, over, along and across the following streets and alleys in the city of Sioux City, to-wit:

First. Across Nebraska street from the building upon the southwest corner of Nebraska and Fourth streets, known as the Brown block, to the building on the southeast corner of Nebraska and

Fourth streets, known as the Commercial block, and across the alley running north and south through block twenty-two (22) in Sioux City East addition.

Second. Diagonally across Nebraska street from the Security bank building, situated upon the northwest corner of Nebraska and Fourth streets, to the center of the alley running east and west through block fourteen (14), Sioux City East addition, thence along and through the center of the said alley to Jackson street, and thence diagonally across Jackson street to the building on the northeast corner of Jackson and Fourth streets known as the Metropolitan block.

Third. Over, across and along such other streets and alleys in the city of Sioux City as may be designated from time to time by resolution of the city council, subject to the conditions and reservations contained in this ordinance.

SEC. 2. The said trenches shall be excavated to a depth of from four (4) to six (6) feet from the surface of the pavement, and the pipes for steam-heating shall be insulated with mineral wool, and laid in said trenches in double wooden boxes, the outside box to be of 2-inch plank, and to be coated upon the outside with pitch tar.

The said trenches so excavated shall be thoroughly refilled and tamped firmly, and the pavement be replaced in as good condition as the same was before said trenches were excavated and pipes placed therein.

All of said work shall be under the supervision and direction of the city engineer, and be subject in all respects to his approval and the approval of the city council.

SEC. 3. The said Security Bank Building Company shall protect and maintain the said pavement now laid, or to be laid over the line of the said trenches, so as to at all times keep the same free from any defects occasioned therein by the excavation of said trenches, or the laying of the pipes therein. And in case the said Security Bank Building Company shall, after notice of such defects, fail, within a reasonable time, to remedy the same, the work thereafter may be done by the said city of Sioux City, at the cost and expense of the said Security Bank Building Company.

SEC. 4. Before the said Security Bank Building Company shall be authorized to proceed with the laying of said pipes and the con-



struction of said trenches, it shall enter into a contract and agreement with the said city of Sioux City, conditioned for the maintenance of the said pavement over the said trenches, in accordance with the terms of this ordinance, and for the payment of any damages arising from the laying of said pipes or the digging of said trenches, as hereinafter provided.

SEC. 5. The said Security Bank Building Company shall protect and save harmless the said city of Sioux City from any and all damages that may arise by reason of the laying of said pipes or the digging of said trenches. The pipes shall be laid and the said trenches so dug as not to interfere in any manner with any other pipes or other improvements that are now, or may hereafter, be laid in the said streets and alleys so occupied. And if at any time the said city of Sioux City shall find it necessary to lay other pipes or make other improvements in the said streets or alleys with which the pipes provided for herein shall interfere, the said pipes herein provided for shall be so changed, or removed, as to avoid such interference, and the expense of such change, or removal, shall be at the expense of the said Security Bank Building company.

SEC. 6. Nothing herein contained shall be so construed as to give the said Security Bank Building Company any exclusive right or privilege in the said streets and alleys herein granted, nor to grant to the said Security Bank Building Company any rights or privileges which shall not be subject to the right of the said city of Sioux City to occupy said streets and alleys with pipes, or other improvements, without interference from the pipes herein provided for.

SEC. 7. In consideration of the rights and privileges herein granted, the said Security Bank Building Company, its successors and assigns, agree to make a reasonable charge for all heat and power now or hereafter furnished, through pipes now or hereafter laid in the streets and alleys of said city of Sioux City, and shall pay, and as a condition of this ordinance agree to pay, to the city of Sioux City quarterly from and after the 1st day of September, 1898, two per cent (2%) of the gross revenues which it may derive from the furnishing heat and power, connections with which from the said Security bank building are made, or may hereafter be made, by means of laying pipes in the streets and alleys of Sioux City.

The said company shall, at the end of each quarter, report such gross earnings to the city treasurer, and pay in to the city treasurer the said two per cent thereon. The books of said company, its successors and assigns, shall be so kept as to show the revenues received from each building with which connection may be made, and shall be at all reasonable times open to the inspection of such committee or officer as may be designated therefor by the city council.

SEC. 8. This ordinance shall take effect from and after its publication, which shall be without expense to the said city of Sioux City.

Passed September 6, 1898.

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### **FRANCHISE TO THE MERCANTILE REALTY COMPANY FOR STEAM HEATING.**

AN ORDINANCE granting to the Mercantile Realty Company, its successors and assigns, the privilege of digging trenches and laying pipes for steam heating along and across certain streets and alleys.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there is hereby granted to the Mercantile Realty Company, its successors and assigns, for the period of twenty years from and after the passage of this ordinance, the right and privilege of digging trenches and laying pipes for the purpose of transmitting and furnishing steam heat and power for the buildings on lots seven, eight and nine (7, 8, 9) in block twenty-five (25), and lots seven, eight and nine (7, 8, 9) in block twenty-six (26), Middle Sioux City, in Sioux City, Iowa, and for no other purpose, in the manner herein specified, over, along and across the following streets and alleys in the city of Sioux City, Iowa:

From a point about twenty or thirty feet from the alley running north and south in said block twenty-five (25) and from a connection at that point with what is known as the "Plymouth block" south to the center of the alley running east and west in said block twenty-five (25), thence in said alley east crossing Iowa street and running east twenty or thirty feet in the alley running east and west in said block twenty-six (26) to what is known as the "Northern hotel," Middle Sioux City.

SEC. 2. That said Mercantile Realty Company is hereby prohibited from selling any heat or using the heat or rights herein granted for any other purpose than that named in this ordinance.

SEC. 3. That said trenches shall be excavated to a depth of from four to six feet from the surface of the pavement, and the pipes for steam heating shall be insulated with mineral wool and laid in said trenches in double wooden boxes, the outside box to be of two-inch plank and to be coated upon the outside with pitch tar; the said trenches so excavated shall be thoroughly refilled and tamped firmly and pavement to be replaced in as good condition as the same was before said trenches were excavated and pipes placed therein; all of said work shall be under the supervision and direction of the city engineer and be subject in all respects to his approval and the approval of the city council.

SEC. 4. That said Mercantile Realty Company shall protect and maintain the said pavement now laid, or to be laid over the line of the said trenches, so as to at all times keep the same free from any defects occasioned therein by the excavation of the said trenches or the laying of the pipes therein, and in case the said Mercantile Realty Company shall, after notice of such defects, fail within a reasonable length of time to remedy the same, the work thereafter may be done by the said city of Sioux City at the cost and expense of the said Mercantile Realty Company.

SEC. 5. Before the said Mercantile Realty Company shall be authorized to proceed with the laying of said pipes and the construction of said trenches, it shall enter into a contract and agreement with the said city of Sioux City conditioned for the maintenance of the said pavement over the said trenches in accordance with the terms of this ordinance and the payment of any damages arising from the laying of said pipes and the digging of said trenches, as hereinafter provided.

SEC. 6. That the said Mercantile Realty Company shall protect and save harmless the said city of Sioux City from any and all damages that may arise by reason of the laying of said pipes or the digging of said trenches. The pipes shall be laid and the trenches so dug as not to interfere in any manner with any other pipes or other improvements that are now or may hereafter be laid in the said streets and alleys so occupied, and if at any time the said city of Sioux City shall find it necessary to lay other pipes or

make other improvements in the said streets or alleys with which the pipes provided for herein shall interfere, the said pipes herein provided for shall be so changed or removed as to avoid such interference, and the expense of such change or removal shall be at the expense of the said Mercantile Realty Company.

SEC. 7. Nothing herein contained shall be so construed as to give the said Mercantile Realty Company any exclusive right or privilege in the said streets or alleys herein granted, nor to grant to the said Mercantile Realty Company any rights or privileges which shall not be subject to the right of the said city of Sioux City to occupy said streets and alleys with pipes or other improvements without interference from the pipes herein provided for.

SEC. 8. This ordinance shall take effect from and after its publication, which shall be without expense to the said city of Sioux City.

Passed June 30, 1899.

#### FOURTH STREET VIADUCT.

AN ORDINANCE requiring the Chicago, St. Paul, Minneapolis & Omaha Railway Company, and the Illinois Central Railway Company to erect, construct and complete a certain viaduct and approaches thereto in and upon Fourth street, at its intersection with Howard street, in the city of Sioux City, and determining the proportion of the cost thereof to be borne by each of said railway companies.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the Chicago, St. Paul, Minneapolis & Omaha Railway Company, and the Illinois Central Railway Company, owning and operating railroad tracks upon, along and across Howard street and Fourth street in the city of Sioux City, over which tracks a viaduct has been declared to be a necessity for the safety and protection of the public, by the city council of the city of Sioux City, and the board of railroad commissioners of Iowa, said companies are hereby required to erect, construct and complete a viaduct, including the approaches thereto on Fourth street upon and along said Fourth street, of the width, height, strength and material, and substantially according to the plans and specifications of such viaduct on file in the office of the city engineer and heretofore approved

by the city council of the city of Sioux City, and the board of railroad commissioners of the state of Iowa.

SEC. 2. The cost of the erection, construction and completion of said viaduct and for the approaches thereto as herein required to be erected and completed by said railroad companies shall be borne as hereby determined, as follows:

The Chicago, St. Paul, Minneapolis & Omaha Railway Company shall construct, erect and complete the viaduct from the center of Howard street west over all tracks to the west side of the alley between Howard and Wall streets. The Illinois Central Railway Company shall, at their own expense, construct, erect and complete the viaduct from the center of Howard street east over the street to the east line of Howard street. That the cost of the approaches on either side of the viaduct for forty feet in width including sidewalks in addition thereto shall be apportioned equally between the Chicago, St. Paul, Minneapolis & Omaha Railway Company and the Illinois Central Railway Company.

SEC. 3. That in the construction of the approaches to said viaduct by said railroad companies as aforesaid, the roadway of the approaches on the east and west thereof shall be widened to the width of fifty-two feet exclusive of sidewalks. That in so widening the roadway of said approaches the city of Sioux City shall, at their own expense, construct so much of the abutment walls as is necessary to make the same fifty-two feet and shall fill in the necessary filling to make the roadway of said approaches fifty-two feet in width, exclusive of the sidewalks and shall fix up and place in proper condition the extra twelve feet in width as to paving and do all other things necessary and incident to such change in width.

SEC. 4. That the approaches on Wall street and Clark street shall be constructed by the city of Sioux City at its own expense.

Passed January 20, 1892.

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### APPORTIONING COST OF REPAIRS.

AN ORDINANCE making an apportionment of the cost and expense of making proper and necessary repairs and improvements upon and maintaining the Fourth street viaduct and approaches thereto between the Chicago, St. Paul, Minneapolis & Omaha Railway Company, and the Illinois Central Railway Company, respect-

ively, and providing for charging said railway companies with their respective proportions thereof when such repairs, improvements or work of maintenance be made.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the expense of all proper and necessary repairs and improvements upon and the maintenance of the Fourth street viaduct and approaches thereto over and across the Chicago, St. Paul, Minneapolis & Omaha Railway Company, and the Illinois Central Railway Company, including sidewalks, so far as such expense is chargeable to said railway companies, shall be borne by them, their successors or assigns, respectively, as follows:

The Chicago, St. Paul, Minneapolis & Omaha Railway Company shall bear one-half the entire expense of all such repairs and improvements and maintenance upon that portion of said viaduct extending from the center of Howard street west to the west side of the alley between Howard and Wall streets, and the Illinois Central Railway Company shall bear one-half of the entire expense of such repairs, improvements and maintenance upon that portion of said viaduct extending from the center of Howard street east to the east line of said Howard street; that one-half of the expense of such repairs and improvements upon and maintenance of the Fourth street viaduct approaches on either side of said viaduct upon the center 40 feet in width thereof, and in addition thereto one-half such expense as becomes necessary in maintaining, repairing or reconstructing sidewalks on said approaches to the width of ten feet on each side thereof shall be borne and apportioned equally between the two said railway companies.

SEC. 2. That whenever the city council shall determine, by resolution or ordinance, that any of such repairs, improvements or work required in the maintenance of said viaduct or approaches thereto, or any portion thereof, the expense of which, as provided in the preceding section, is to be borne by said railway companies, or either of them, shall be done, they shall cause to be served upon said company or companies, their successors or assigns, or either of them liable for said expenses, as the case may be, as herein provided, written notice to comply with the requirements of this ordinance in respect to such repairs, improvements or maintenance within thirty days from the date fixed in said resolution or ordinance, and that in the event of the failure of such railway companies, their

successors or assigns, or either of them, so notified, to comply therewith within said time, the said portion of said repairs or work of maintenance will be made and done by the city at the expense of such railway companies, their successors or assigns, or either of them so failing. Due return of the service of such notice shall be filed with and preserved by the city clerk among the files of his office.

SEC. 3. That whenever any such repairs, improvements, or work of maintenance upon said viaduct or its approaches so chargeable to said railway companies, their successors or assigns, or either of them, shall be made or done by the city, as herein provided, the actual cost and expense thereof may be recovered by the city against the company, or companies, so in default, by action in any court having jurisdiction of the amount thereof.

SEC. 4. That all ordinances or parts of ordinances in any manner conflicting with this ordinance or any of its provisions, are, to the extent of such conflict, hereby rescinded and repealed.

SEC. 5. This ordinance shall take effect from and after the passage, approval and publication, as required by law.

Passed April 30, 1901.

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### WALL STREET VIADUCT.

AN ORDINANCE providing the terms and conditions under which a viaduct, with approaches, extending from the south line of Fourth street to the north curb line of Grand street, in Sioux City, Iowa, shall be constructed and maintained; vacating certain portions of Wall, Howard, Iowa and Second streets, and the alleys in block twelve (12), seventeen (17), eleven (11), eighteen (18), thirteen (13), and sixteen (16), Middle Sioux City, Iowa; conveying the vacated portions of said streets and alleys to the abutting property owners; providing walks for pedestrians upon Iowa street, and containing the terms and conditions under which the said viaduct and its approaches are to be constructed and maintained, as between the city of Sioux City, Iowa, and the Dubuque & Sioux City Railroad Company; Chicago, Milwaukee & St. Paul Railway Company; Chicago, St. Paul, Minneapolis & Omaha Railway Company; Union Terminal Railway Company, and Chicago & Northwestern Railway Company.

Whereas, the city council of the city of Sioux City, by the enactment of ordinance No. G4525, has heretofore declared that a viaduct over Wall street in said city, from the south line of Fourth street to the north curb line of Grand street, is necessary for the public safety and protection of the inhabitants of said city; and

Whereas, the railway companies interested in said viaduct, to-wit, the Dubuque & Sioux City Railroad Company; Chicago, Milwaukee & St. Paul Railway Company; Chicago, St. Paul, Minneapolis & Omaha Railway Company; Union Terminal Railway Company; and Chicago & Northwestern Railway Company, which said companies will be hereinafter referred to as steam railways, on the 8th day of December, A. D. 1908, made to the said city of Sioux City a written proposition, setting forth the terms and conditions under which it is proposed to construct and maintain said viaduct and its approaches, and the said city, by its city council, on the same day, by proper resolution passed, duly accepted the said proposition, as amended, and thereupon the said parties agreed to the general terms and conditions under which the said viaduct and its approaches shall be constructed and maintained; and

Whereas, it is the judgment of the city council of the city of Sioux City, in connection with the construction and maintenance of the said viaduct, and for the purpose of compelling the public to use said viaduct, and thereby take the safer way, that the streets and alleys particularly described in section 2 hereof, and therein vacated, are not suitable or desirable as public streets and alleys in said city, are insufficient and unnecessary for the purpose for which they were originally acquired, and that the public interest and welfare of said city requires the vacation and abandonment of said streets, and that said streets and alleys, when so vacated, should be conveyed to the owners of the lots abutting upon same;

Therefore, for the purpose of expressing in detail the agreement heretofore made between the said city of Sioux City and the said steam railways,

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. The City of Sioux City, Iowa, as is provided for in sections 771 and 771-a of the code of Iowa of 1897 and supplement of 1907, will acquire and furnish to said steam railways all necessary right of way, and provide for the payment of all damages to abutting or adjacent property owners, as will fully authorize the con-



struction and maintenance of the proposed viaduct and its approaches, said viaduct to extend over Wall street, in the said city of Sioux City, from the south line of Fourth street to the north curb line of Grand street, said viaduct to be constructed and maintained in accordance with plans and specifications which have been submitted by said steam railroads to and approved by the city council of Sioux City, Iowa, as will be hereinafter more specifically referred to.

SEC. 2. That the following described streets, alleys and public grounds in said city of Sioux City be, and the same are hereby vacated, to-wit:

Wall street from the south line of Third street south to the north line of First street.

Iowa street from the south line of Third street where said Third street intersects Iowa street, south to the north line of First street, except that portion of the west one-half of Iowa street abutting on and lying immediately in front of the property of the American Linseed Company, which property of the American Linseed Company is described as follows, to-wit: Lots one, two and three (1, 2 and 3) in block eighteen (18), Middle Sioux City, Woodbury County, Iowa.

Howard street, from the south line of the present right of way of the main line of the Chicago & North Western Railway Company (formerly Sioux City & Pacific Railroad Company), where said south line of said right of way crosses Howard street, between block two (2), Middle Sioux City, and block thirty-three (33), East Sioux City, to the south line of Third street, except over and across First street; also from the north line of Third street, where said Third street intersects Howard street, to the south line of Fourth street.

The south one-half of the north and south alley and the east one-half of the east and west alley in block twenty-seven (27), Middle Sioux City.

Second street from the east line of Court street, where said Court street intersects Second street, to the east side of Howard street, where said Howard street intersects Second street.

All of the alleys in blocks twelve (12), seventeen (17), eleven (11), eighteen (18), thirteen (13), and sixteen (16), in Middle Sioux City, being the blocks bounded by Court street on the west, Howard street on the east, First street on the south, and Third street on the north.

This vacation is subject to the rights of each of the steam railways to their present right of way, and the right to maintain their present tracks, which are now laid down, located and operated over and upon the vacated portions of said streets and alleys.

SEC. 3. The said steam railways, in accepting the vacation of Iowa street, in consideration thereof, separately agree, in the proportion hereinafter provided for, to construct and maintain walks or ways, to be open for pedestrians only, upon either side of Iowa street, each of said walks to be not less than eight feet in width. In the event that said steam railways fail or refuse to construct or repair said walks, or, when necessary, reconstruct same, the city of Sioux City, after giving ten days' notice to each of said steam railways, may proceed to construct, repair, or reconstruct said walks, and said steam railways will be liable to said city of Sioux City, each separately, for its proper proportion of the cost and expense of such construction, repair, or reconstruction of said sidewalks. Said steam railways, each separately, further agree that no permanent obstructions shall be erected or permitted to stand within the limits of the vacated portion of Iowa street, nor shall cars be stored or be permitted to stand unreasonably in such vacated portions of said street, and, in switching over said vacated street, and the walks herein provided for, said vacated street and walks shall be obstructed as little as practicable, consistent with the reasonable operation of said several railways. In the event that the public travel upon said walks, so to be located on the vacated portion of Iowa street is sufficient, in the judgment of the city council of the city of Sioux City, to require the presence of a flagman upon said vacated street or walks, the said steam railways will, upon a proper order, by resolution of the city council of Sioux City, maintain one or more flagmen, not exceeding three, at such point on said vacated street or walks, and at such reasonable hours as the city may require. The liability of the said steam railways for the obligations provided for and described in this section is a separate and not a joint liability, each company being liable in the proportion in which it contributes to the construction and maintenance of the said viaduct, as is set forth in section 15 hereof.

The Sioux City Gas & Electric Company, in accepting the vacation of Iowa street, separately agrees that there may be, at all times, maintained two walks or ways, one upon either side of said Iowa street, to be not less than eight (8) feet in width; and the said Sioux

City Gas & Electric Company further agrees that no obstruction shall be erected or permitted to stand within the limits of the vacated portion of Iowa street; and that in accepting a conveyance of a portion of Iowa street so vacated, it shall be subject to the right of the city to maintain said walks upon and across the same.

SEC. 4. The said city of Sioux City hereby conveys to the Chicago & North Western Railway Company the following portions of said vacated streets and alleys, to-wit:

All of the east half of Wall street abutting upon lots eleven (11) and twelve (12), in block thirteen (13), and all of the west half of Wall street abutting upon lots one (1), two (2), and three (3), in block twelve (12), reserving to the Dubuque and Sioux City Railroad Company its right of way over said above described street, and excepting so much of the street as abuts that portion of lot one (1) owned by the Dubuque & Sioux City Railroad Company;

The east half of so much of the alley running north and south in block twelve (12) as is abutting the right of way and property of the said Chicago & North Western Railway Company, as same is located in lots two (2) and three (3), block twelve (12);

All of the west half of the alley running north and south in block twelve (12) that abuts upon the right of way and the property owned by the Chicago & North Western Railway Company in lots nine (9), ten (10), and eleven (11), in block twelve (12);

All of the alley running east and west in block twelve (12), lying and being between lots nine (9) and ten (10) in said block;

All of the south half of the alley running east and west in block twelve (12) that abuts upon the property and right of way of the Chicago & North Western Railway Company located in lot three (3), in said block twelve (12);

All of the east half of Iowa street that abuts upon the right of way and property of the Chicago & North Western Railway Company in lots nine (9), ten (10), and eleven (11), block twelve (12), and all of the west half of Iowa street that abuts upon the right of way and property of the Chicago & North Western Railway Company in lots three (3), and four (4), block eleven (11);

All of Iowa street that abuts upon the alleys running east and west through blocks eleven (11) and twelve (12), Middle Sioux City;

In all of said property so conveyed the right of way of the Dubuque & Sioux City Railroad Company is reserved to said company, all of the above lots and blocks being located in Middle Sioux City, Woodbury County, Iowa;

All of the alley running north and south in block eleven (11), that abuts upon the right of way and property owned by the Chicago & North Western Railway Company in lots three (3), four (4), nine (9), and ten (10), in said block eleven (11);

All of the alley running east and west in block eleven (11), lying and being between lots three (3), four (4), nine (9), and ten (10);

All of that portion of the alley running north and south in block thirteen (13) that abuts upon the property and right of way of the Chicago & North Western Railway Company in lots one (1) and twelve (12), in said block;

All of the west half of Howard street that abuts upon the right of way and property owned by the said Chicago & North Western Railway Company in lots two (2), three (3), and four (4), in block two (2), and all of the east half of Howard street that abuts upon the right of way and property of the Chicago & North Western Railway Company in lots one (1), two (2), and three (3), in block one (1), all of said property located and being in Middle Sioux City, Woodbury County, Iowa, and so much of the vacated portion of the east half of Howard street as abuts on lot three (3), in block thirty-three (33), said lot located and being in East Sioux City, Woodbury County, Iowa.

All of the property above granted is conveyed subject to the existing rights therein and the right of way thereon of the various railway companies whose tracks and rights of way are now situated on said property.

SEC. 5. The said city of Sioux City hereby conveys to the Union Terminal Railway Company the following portion of said vacated streets and alleys, to-wit:

All of the east half of Iowa street from the middle line of Second street to the middle line of the first alley north thereof, and abutting on lots ten (10), eleven (11), and twelve (12), in block seventeen (17);

All of the south half of the alley running east and west in block seventeen (17) from the east line of Iowa street to a point about fifty feet west of the west line of Wall street.

All of the alley running north and south in block seventeen (17) lying between lots two (2) and three (3) and lots ten (10) and eleven (11), and the west half of said alley abutting on lot twelve (12) in said block seventeen (17);

All the north half of Second street from the east line of Iowa street to the middle line of the first alley east thereof, and abutting upon lot twelve (12) in block seventeen (17);

All the south half of Second street from the middle line of Howard street to the middle line of the first alley west thereof;

All the east half of the alley running north and south in block thirteen (13) and abutting on lots one (1), two (2), three (3), four (4), five (5) and six (6) thereof, subject to the right of way of the Chicago & North Western Railway Company in lot one (1), in block thirteen (13);

All the alley running east and west in block thirteen (13), between lots three (3) and four (4) thereof;

All the west half of Howard street abutting on block thirteen (13);

All the east half of Howard street from the middle line of Second street to the south line of Third street;

All the east half of Howard street abutting upon block twenty-eight (28), Middle Sioux City, Iowa;

All the above streets, alleys lots and blocks being located in Middle Sioux City, Woodbury County, Iowa, and all the property above granted is conveyed subject to the existing rights therein and the right of way thereon of the various railway companies whose tracks and right of way are now situated on said property.

SEC. 6. The said city of Sioux City hereby conveys to the Chicago, St. Paul, Minneapolis & Omaha Railway Company the following portion of said vacated streets and alleys, to-wit:

All the east half of Wall street abutting upon lots seven (7), eight (8), nine (9) and ten (10), and so much of the east half of Wall street as abuts upon the northwest corner of lot eleven (11) as is owned and occupied by the right of way of said Chicago, St. Paul, Minneapolis & Omaha Railway Company, also so much of the east half of Wall street as abuts upon the southwest corner of lot twelve (12) as is owned by said Chicago, St. Paul, Minneapolis & Omaha Railway Company, all of said lots being situated in block sixteen (16), Middle Sioux City, Iowa;

Also the west half of Wall street that abuts upon lots one (1), two (2), three (3), four (4), five (5) and six (6), in block seventeen (17), Middle Sioux City;

Also the north half of the alley in block sixteen (16) that abuts lot nine (9) in said block sixteen (16), Middle Sioux City, Iowa;

Also the west half of the north and south alley in said block sixteen (16), Middle Sioux City, abutting on lots seven (7), eight (8) and nine (9) in said block;

Also the west half of so much of the north and south alley in block sixteen (16) as abuts upon the east and west alley in said block, lying between lots nine (9) and ten (10), in said block;

Also the north half of the alley in block seventeen (17) that abuts lots four (4) and nine (9) and the north and south alley between lots four (4) and nine (9) in said block seventeen (17), Middle Sioux City, Iowa;

Also the south half of so much of the alley in block sixteen (16) as abuts upon that portion of lot ten (10), block sixteen (16), as is owned by the Chicago, St. Paul, Minneapolis & Omaha Railway Company.

Also the south half of the alley that abuts upon so much of lot three (3), block seventeen (17), as is owned by the Chicago, St. Paul, Minneapolis & Omaha Railway Company;

Also the west half of the alley running north and south in block sixteen (16) that abuts upon lots ten (10), eleven (11) and twelve (12), block sixteen (16), Middle Sioux City, Iowa.

Also that part of Wall street abutting upon the alley running east and west through blocks sixteen (16) and seventeen (17) Middle Sioux City, Iowa;

All that portion of the north half of Second street lying between the center line of the north and south alley in block sixteen (16) extended, and the center line of the north and south alley in block seventeen (17), extended.

Also the east half of the north and south alley in block seventeen (17) that abuts upon lot one (1) in said block, and upon the north half of Second street;

Also the south half of the north and south alley in block twenty-seven (27), Middle Sioux City;

Also the north and south alley between lots four (4), five (5),

six (6), seven (7), eight (8) and nine (9) in block seventeen (17). Middle Sioux City;

All of the east half of the east and west alley in block twenty-seven (27), in Middle Sioux City;

All that part of the west half of Iowa street abutting upon lots four (4), five (5) and six (6), block eighteen (18), and upon the north half of the east and west alley in block eighteen (18), Middle Sioux City, Iowa;

All that part of the east half of Iowa street abutting upon lots seven (7), eight (8) and nine (9), block seventeen (17), and upon the north half of the east and west alley of block seventeen (17), Middle Sioux City, Iowa;

All that part of the west half of Iowa street abutting upon lots five (5) and six (6), and the northerly eight (8) feet of lot four (5) in block eleven (11), Middle Sioux City, Iowa;

All of the north half of the east and west alley in block eighteen (18), Middle Sioux City, Iowa;

All of the north half of the north and south alley in block eighteen (18), Middle Sioux City, Iowa;

All of the north half of the east and west alley abutting lots nine (9) and four (5), in block eighteen (18), Middle Sioux City, Iowa;

All of the west half of Howard street abutting on lots one (1), two (2), three (3), four (4), five (5) and six (6), and upon the east and west alley in block twenty-seven (27), Middle Sioux City, Iowa.

All the property above granted is conveyed subject to the existing rights therein and the right of way thereon of the various railway companies whose tracks and rights of way are now situated on said property. (As amended March 9, 1909.)

SEC. 7. The said city of Sioux City hereby conveys to the Du-buque & Sioux City Railroad Company the following portion of said vacated streets and alleys, to-wit:

All of the west half of Howard street abutting upon lots one (1), two (2), three (3), and four (4), and the east and west alley in block sixteen (16);

All of the east half of Howard street abutting upon lots one (1), two (2), three (3), four (4), and five (5), and the east and west alley in block fourteen (14), and lots one (1), two (2), three

(3) and four (5), in block one (1), except the right of way of the Chicago & North Western Railway Company;

The east half of the alley running north and south abutting upon lots one (1), two (2), three (3), four (4), and the south twelve and one-half ( $12\frac{1}{2}$ ) feet of lot five (5), and the east and west alley in block sixteen (16);

The east half of the alley abutting upon so much of lot six (6) in block thirteen (13), as is owned by the Dubuque & Sioux City Railroad Company, and the west half of the north and south alley abutting upon lots seven (7), eight (8) and nine (9), and the east and west alley in said block thirteen (13);

The south half of the alley abutting upon the right of way of the Dubuque & Sioux City Railroad Company in lot ten (10), block sixteen (16);

The east half of Wall street abutting upon the right of way of the Dubuque & Sioux City Railroad Company in lots eleven (11) and twelve (12), in block sixteen (16);

The east half of Wall street abutting upon lots eight (8), nine (9), and ten (10) and abutting on the east and west alley between said lots nine (9) and ten (10), in block thirteen (13);

All of the alley in block sixteen (16), between lots three (3) and four (4) therein, and the east half of the north and south alley abutting on the east and west alley between said lots three (3) and four (4);

The north half of the east and west alley abutting upon lot nine (9), in block thirteen (13), and so much of the west half of the north and south alley as abuts upon the north half of the east and west alley that abuts on said lot nine (9);

The south half of the east and west alley abutting upon the right of way of the Dubuque & Sioux City Railroad Company in lot ten (10), in block thirteen (13);

Also that part of the west half of Wall street that abuts upon the east and west alley in said block thirteen (13);

The west half of Wall street abutting upon lots one (1), four (4), five (5) and six (6), in block twelve (12), and excepting so much of the street as abuts on that portion of lot one (1) owned by the Chicago & Northwestern Railway Company;

Also the west half of Wall street that abuts on the south half



of the east and west alley abutting lot four (4), in said block twelve (12);

The east half of the north and south alley abutting upon lots one (1), four (4), five (5) and six (6), in said block twelve (12);

The west half of the north and south alley abutting upon lots seven (7) and eight (8) and abutting upon the Dubuque & Sioux City Railroad Company's right of way in lot nine (9) in said block twelve (12);

The north half of the east and west alley abutting upon lot four (4), in block twelve (12);

The east half of Iowa street abutting upon lots seven (7) and eight (8) and abutting upon the Dubuque & Sioux City Railroad Company's right of way in lot nine (9), block twelve (12).

Also the south half of Second street lying between the middle of the north and south alley in blocks sixteen (16) and thirteen (13) and the middle of Iowa street, being so much of said Second street as lies between lots one (1) and twelve (12), in block seventeen (17), lot twelve (12) in block sixteen (16), and that portion of lot seven (7) in block thirteen (13), and lots six (6) and seven (7) in block twelve (12) that is owned by the Dubuque & Sioux City Railroad Company;

Also that portion of the south half of Second street that abuts upon Wall street between blocks twelve (12) and thirteen (13) and the north and south alley in block twelve (12);

Also the north half of Second street that abuts upon the west half of Howard street and the east half of the north and south alley in block sixteen (16), and lot one (1) in said block sixteen (16);

All the above streets, alleys, lots and blocks being located in Middle Sioux City, Woodbury County, Iowa, and all the property above granted is conveyed subject to the existing rights therein and the right of way thereon of the various railway companies whose tracks and rights of way are now situated on said property.

SEC. 8. The said city of Sioux City hereby conveys to the Sioux City Gas & Electric Company the following portion of said vacated streets and alleys, to-wit:

All the west half ( $W\frac{1}{2}$ ) of Iowa street abutting on lots one (1) and two (2) in block eleven (11), and all of the east half ( $E\frac{1}{2}$ ) of Iowa street abutting on lot twelve (12) in block twelve (12);

So much of the alley running north and south in block eleven (11) as lies between lots one (1) and two (2) and eleven (11) and twelve (12), in block eleven (11). All in Middle Sioux City, Woodbury County, Iowa.

SEC. 9. The mayor of the said city of Sioux City, in the name of, and for said city, is hereby authorized and directed to make and execute proper and separate deeds of conveyance, conveying the tracts and parcels of land described in sections 4, 5, 6, 7 and 8, conveying to each of the several steam railroads and abutting owners the said parcels of land herein described, such deeds, when so executed, to be at once delivered to John McHugh in escrow, same to be delivered to the said several grantees named in said several deeds as is hereinafter provided. The said conveyance provided for in said deeds, and described in this section, are to be subject to all of the present rights of each and all of the said steam railways to maintain and operate their present tracks as same are located upon the said vacated portions of said streets and alleys, and to further preserve to each of said several steam railways all and singular the rights and privileges which they now have over and upon the vacated portions of said streets and alleys.

SEC. 10. The vacation of the streets and alleys as provided for in section 2 hereof, and the conveyances provided for in sections 4, 5, 6, 7 and 8 hereof, are to become effective and in full force only when the said viaduct so to be constructed over Wall street is open for public travel. The said John McHugh so holding the said deeds in escrow, upon the completion of said viaduct, as is herein provided for, and the opening of said viaduct for public travel, is to deliver each of said several deeds to the respective grantees named therein, and the said deeds are to be in full force and effect from and after the date of such delivery. It is further provided that the obligations of the said several steam railways as is provided for in section 3 hereof, do not become effective or in force until the vacations herein provided for are in force, and the said several deeds have been delivered.

SEC. 11. It is further provided and agreed upon the part of the city of Sioux City, Iowa, if in the future any interurban line or lines of railway shall desire to enter the city of Sioux City from a direction in which it is practicable for said interurban lines to use the proposed viaduct, the said city of Sioux City agrees with the

said steam railways that said city will, by proper proceedings and enactments, require any and all such interurban line or lines, as a condition to the said line or lines entering said city, to operate their lines and cars over and upon said viaduct, and thus avoid surface crossings with the rails of the said steam railways. It is intended that this provision shall require the city to compel all interurban lines and cars to use said viaduct, whether said interurban line or lines are operated by a street car or other company, and, further, the said city of Sioux City will require the company or companies so using said viaduct for the purpose of carrying interurban cars or lines to pay, before acquiring the right to use the said viaduct, and as a consideration for such use, the increased cost of said viaduct made necessary in building same of sufficient strength to carry interurban traffic. Such additional cost of said viaduct, so made necessary in order that interurban traffic may be carried, is to be paid by any company operating interurban cars or lines over same, and the amount of said cost is fixed at the sum of ten thousand dollars (\$10,000.00), the said sum, when paid, to be prorated among the steam railways constructing and maintaining said viaduct and its approaches in the proportion which each of said companies shall contribute to the original cost of same, and, in addition to such sum so to be paid for the use of said viaduct for interurban traffic, such company or companies so using said viaduct in the operation of interurban cars or lines, shall be required by said city, as a condition to such use, to contribute to the maintenance of said viaduct and its approaches in the proportionate amount that the sum of the contribution which said company or companies make bears to the cost of said structure and its approaches, it being agreed that the proportion of maintenance to be borne by interurban travel, under the provisions of this section, is six per cent.

SEC. 12. In the event that any steam railway or street or interurban lines of railway, other than the lines of such steam railways as are parties to this agreement, shall obtain the right to construct and operate, and shall construct and operate a line of railroad or railway track or tracks, whether steam, interurban, or street, under the said Wall street viaduct, then, in such event, and as a condition precedent to permission on the part of the said city of Sioux City to lay down such railway track or tracks, and operate same, said city of Sioux City will compel such company or companies, so desiring to

operate its road or tracks under the said Wall street viaduct, to contribute to the steam railways which are parties hereto an equitable proportion of the cost of said viaduct and its approaches, and require such company, or companies, so operating its line of tracks, to undertake and provide for a fair and equitable proportion of the cost of maintenance of said viaduct. Such contribution to the cost of the said viaduct and its approaches as is herein provided for, is to be divided among the steam railways building said viaduct in the proportion which each of said steam railways contribute to same, it being agreed between the parties hereto, the city of Sioux City and the said steam railway companies, that any other person or company operating a road or tracks under the said viaduct, or its approaches, shall make fair contribution to the cost and maintenance of this viaduct, and its approaches, as is herein provided.

SEC. 13. It is agreed by and between the city of Sioux City and the steam railways, parties hereto, that the said city of Sioux City will require the Sioux City Traction Company, its successors or assigns, to occupy the said viaduct, when completed, with its tracks, and to pay the cost of the construction and maintenance of its said railway line and tracks upon the proposed viaduct, and the said city will further require the said Sioux City Traction company, its successors and assigns, at its own expense, to pave so much of said viaduct as is between the street car rails laid on same, and one foot on the outside of each rail, and further require said Sioux City Traction Company to maintain said paving in the manner as is provided for in Section 8 of the ordinance granting a charter or franchise to said Traction Company in reference to public streets and alleys, and said city will further require all interurban traffic that may cross said viaduct to use the said street car tracks laid upon same, upon such terms as may be just and equitable.

SEC. 14. In consideration of the agreements and conditions herein provided for, the said steam railways, each separately, for itself, and in the proportion hereinafter provided for, agree that, as soon as the city of Sioux City has provided and furnished the necessary right of way required for such viaduct and its approaches, said steam railways will order all necessary material, and with all reasonable speed proceed to construct a viaduct and approaches upon Wall street, in said city of Sioux City, Iowa, extending from the south line of Fourth street, in said city, to the north curb line of

Grand street, said viaduct and its approaches to be constructed in accordance with the plans and specifications presented by the said steam railways to the city council of Sioux City, and now on file in the clerk's office of said city, such plans and specifications having been duly approved by resolution passed by the city council of Sioux City on the 16th day of February, 1909; and the said steam railways, parties hereto, each separately, for itself and in the proportion hereinafter provided for, agree to pay for the maintenance of the viaduct and its approaches on the basis of its proportion of the cost of maintenance hereinafter provided for, subject, however, to such contribution as is provided for in the event of the use of said viaduct by interurban cars, or the construction of new lines under said viaduct, as is now provided for by existing statutes of the state of Iowa, that is, such steam roads to pay for one-half of the maintenance of such viaduct, the city of Sioux City to assume the obligations as to maintenance that are provided for by the said statutes, the city of Sioux City to primarily assume the care, control and maintenance of the viaduct, it being agreed that the said viaduct so to be constructed is to be of sufficient strength to carry ordinary street travel, including electric street cars, and in addition thereto, to carry interurban traffic, that is, of sufficient strength to carry two cars, one on each track, of forty (40) tons weight.

SEC. 15. The liability undertaken by each of the said steam railways, under the terms and conditions of this ordinance, is separate, and not joint, and is undertaken by each company only in the proportion which each of said companies contributes to the construction of the said viaduct and its approaches, to-wit: the Dubuque & Sioux City Railroad Company, eighteen (18) per cent; the Chicago, Milwaukee & St. Paul Railway Company, fifteen (15) per cent; the Chicago, St. Paul, Minneapolis & Omaha Railway Company, thirty-five (35) per cent; the Union Terminal Railway Company, fifteen (15) per cent; and the Chicago & North Western Railway Company, seventeen (17) per cent; and no further liability of each or any of said steam railways is fixed, undertaken, or assumed than the separate liability of each company herein provided for.

SEC. 16. Wherever in this ordinance a right or privilege is granted, or a liability is assumed by said steam railways, it is agreed and provided that such right or privilege is granted and such liability is assumed not only by the respective steam railways, parties

hereto, but in each instance by the successors, grantees, lessees, or assigns of said steam railways.

SEC. 17. Upon the final passage of this ordinance by the city council of Sioux City, same shall be submitted to the board of railroad commissioners of the state of Iowa for their endorsement and approval; and, such ordinance contract having been approved by the said board of railroad commissioners of the state of Iowa, same shall be submitted to the said steam railways, for their acceptance, as is provided for in Section 18 hereof.

SEC. 18. Within twenty days from the passage of this ordinance, and its approval by the board of railroad commissioners of the state of Iowa, each of said steam railways, by its proper officers, shall file with the clerk of the city council of Sioux City, Iowa, the written acceptance of each of said steam railway companies of the terms and conditions of this ordinance, such acceptance to be duly filed and recorded, and to become a part of this contract, and, when accepted by each of said steam railways, this ordinance, and its acceptance, shall constitute and be a contract between the said city of Sioux City and the said steam railways, parties hereto.

SEC. 19. The vacation of the streets and alleys as is provided for in section 2, and the conveyances provided for in sections 4, 5, 6, 7 and 8 hereof, are subject to the right of the city to at all times enter upon and across the said property thus vacated and conveyed for the purpose of constructing, reconstructing or repairing all necessary sewer, water and gas pipes now in said streets and alleys, or which the city of Sioux City may hereafter deem advisable and necessary to construct and maintain. Provided, that before entering upon any of said vacated streets and alleys for the purpose of so constructing, reconstructing or repairing any sewers, water or gas pipes, reasonable notice shall first be given to all railway companies to be affected by such construction or repair work.

SEC. 20. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance, are, to the extent of such conflict, hereby repealed.

SEC. 21. That this ordinance shall be in full force and effect from and after its passage, approval by the board of railroad commissioners of the state of Iowa, its acceptance by the said steam railways, parties hereto, and publication, as provided by law.

Passed February 16, 1909.

The above ordinance was duly approved by the board of railroad commissioners of the state of Iowa and accepted by all the steam railways parties thereto.

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### COMPENSATION FOR USE OF VIADUCTS.

AN ORDINANCE fixing the compensation to be charged the Sioux City Service Company for the use of the viaducts and approaches on Fourth street and Wall street.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

That, Whereas, The city of Sioux City did, by the terms of ordinance No. G5728, passed February 15th, 1909, and approved February 19th, 1909, enter into an agreement with the various railroad companies relative to the construction of a viaduct on Wall street, section thirteen of said ordinance being as follows, to-wit:

"It is agreed by and between the city of Sioux City and the steam railways, parties hereto, that the said city of Sioux City will require the Sioux City Traction Company, its successors or assigns, to occupy said viaduct, when completed, with its tracks and to pay the cost of construction and maintenance of its said railway line and tracks upon the proposed viaduct, and the said city will further require the said Sioux City Traction Company, its successors and assigns, at its own expense, to pave so much of said viaduct as is between the street car rails laid on same, and one foot on the outside of each rail, and further require said Sioux City Traction Company to maintain said paving in the manner as is provided for in section eight of the ordinance granting a charter or franchise to said traction company in reference to public streets and alleys, and said city will further require all interurban traffic that may cross said viaduct to use the said street car tracks laid upon same upon such terms as may be just and equitable," and

Whereas, Section 773 of the supplement to the code of Iowa, 1907 edition, provides, among other things, that cities shall have power to regulate the use of viaducts, and authorize or forbid the use thereof by street railway companies and require the payment of compensation for such use, and

Whereas, The Sioux City Traction Company has, since the passage of said ordinance No. G5728, assigned its property and franchises to the Sioux City Service Company.

*Now, Therefore, Be it ordained by the city council of the city of Sioux City:*

SECTION 1. That the compensation to be paid by the Sioux City Service Company, its successors and assigns, for the use of the Wall street viaduct and the Fourth street viaduct during the life of its present franchise, shall be as follows, to-wit:

Said Sioux City Service Company, its successors and assigns, shall immediately pave so much of the Wall street viaduct and its approaches as lays between its rails and one foot outside thereof, and reconstruct and repair so much of the pavement on the Wall street viaduct and its approaches, and on the Fourth street viaduct and its approaches, as lays between its rails and one foot outside thereof, during the life of its present franchises.

And shall, in addition thereto, as a further toll, pay into the city treasury the sum of two hundred dollars (\$200.00) on or before the first day of July annually, during the life of its present franchises; said sum, as paid, to be placed by the city council into a special fund, to be known as the viaduct fund, and applied by the city of Sioux City in paying for one-half of the ordinary repairs on the Fourth street viaduct and its approaches and the Wall street viaduct and its approaches.

And, further, should said sum so paid into the city of Sioux City by the Sioux City Service Company, its successors and assigns, at any time be found insufficient to pay for one-half of the ordinary repairs on the Wall street viaduct and its approaches, and the Fourth street viaduct and its approaches, then, at such time, an additional sum shall be paid by the Sioux City Service Company, its successors and assigns, into the city treasury, sufficient in amount to reimburse the city of Sioux City for any additional sum that it may have been required to pay in making one-half of the ordinary repairs to the Fourth street viaduct and its approaches and the Wall street viaduct and its approaches, the said additional sum to be paid into the city treasury within thirty days after receipt of notice from the city of Sioux City stating the cost of the work done.

SEC. 2. Within ten days from the passage of this ordinance, the Sioux City Service Company, by its proper officers, shall file with the city clerk of the city of Sioux City, Iowa, its written acceptance of the terms and conditions of this ordinance, such acceptance to be duly filed and recorded, and to become a part of this agreement.



and when accepted by said Sioux City Service Company, this ordinance and its acceptance shall constitute and be a contract between the city of Sioux City, Iowa, and the said Sioux City Service Company, parties thereto.

Passed Aug. 20, 1910.

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**RIGHT TO BRIDGE ALLEY TO D. A. WILLIAMS AND  
C. R. MARKS.**

AN ORDINANCE granting the right to erect a bridge over the south one hundred feet of the north and south alley in block 10, Sioux City east addition, and to build chambers and passageways under the same.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there be and is hereby granted to D. A. Williams and C. R. Marks, as abutting owners, the right to erect and maintain one or more bridges across the public alley between the buildings on lots 5 and 6, and lots 7 and 8, block 10, Sioux City East addition; provided, said bridges be not less than sixteen feet above the surface of the established grade of said alley, so as not to obstruct the use of said alley for teams and foot passengers, and that said bridges be safely and securely built and fastened to the adjoining buildings.

SEC. 2. That there is hereby further granted to said parties, as abutting owners, the right to erect and maintain passage ways and chambers across and under the paved surface of the alley between lots 5 and 6, and lots 7 and 8, in said block 10, Sioux City east addition, to be built of stone or brick or iron, or a combination of two or more of said materials. Provided, that the same shall be strongly and substantially built, so as to safely support loaded teams passing over the alley, and that the same shall be built and maintained without expense to the city, and that the paving shall be relaid thereon by said parties, or at their expense, and all the same subject to the approval of the city engineer.

SEC. 3. That this ordinance shall be published without expense to the city.

Passed July 19, 1888.

**TO PURSLOW ESTATE, H. D. BROWN, ET AL.**

AN ORDINANCE granting the right to erect a continuous arch or bridge over the alley extending north and south between lot six (6) and lots seven (7), eight (8) and nine (9) in block twenty-two (22), Sioux City east addition, an addition to Sioux City, Iowa.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there be and is hereby granted to the owners and lessees of lots six (6), seven (7), eight (8) and nine (9) in block twenty-two (22), Sioux City east addition, an addition to Sioux City, Iowa, the right to erect and maintain a continuous arch or bridge across the public alley between the buildings on said lot six (6) and on said lots seven (7), eight (8) and nine (9), in block twenty-two (22), Sioux City east addition, an addition to Sioux City, Iowa; provided that said continuous arch or bridge be not less than sixteen (16) feet above the surface of the established grade of said alley, and not over ten (10) feet in width, so as not to obstruct the said alley for passing teams and foot passengers, and that said continuous arch or bridge be safely and securely builded and fastened to the said buildings.

SEC. 2. That this ordinance shall be published without expense to the city.

Passed January 19, 1909.

Note—By resolution adopted by the city council April 6, 1909, the above parties are given the right to construct and maintain a conduit to convey water and steam heat across said alley; said conduit to be not more than three feet square and not to interfere with surface use or travel on said alley, or the sewage or water systems of the city.

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**TO THE PELLETIER COMPANY.**

AN ORDINANCE granting unto the Pelletier Company, of Sioux City, Iowa, permission and authority to build over the east half of the east and west alley in block sixteen, Sioux City east addition, in the manner as herein set forth.

Whereas, The Pelletier Company, a corporation organized and existing under and by virtue of the laws of the state of Iowa, is now

the owner of lots nine and ten, block sixteen, Sioux City East addition, and has erected on each of said lots large buildings used in the prosecution of its retail mercantile business, and is desirous of joining said buildings by building over the alley between lots nine and ten in said block sixteen; therefore

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the Pelletier Company be and said company is hereby granted permission and authority to connect its buildings by building over the east half of the east and west alley in block sixteen, being that portion of the alley lying between lots nine and ten in said block sixteen, Sioux City east addition.

SEC. 2. In connecting its buildings the said Pelletier Company shall not construct or erect any building over said alley at a less height than eighteen feet above the established grade of said alley; and shall at all times after having erected a building over said alley, by joining the two buildings now owned by said Pelletier Company on either side of said alley, keep said alley at all times lighted in such manner and with as many lights as the city council may direct from time to time. And provided, further, that said Pelletier Company, before erecting a building over said alley, shall make satisfactory arrangements with any public service company using said alley, and secure their permission to the erection of the building over said alley, in the manner as herein described.

SEC. 3. The Pelletier Company shall, within thirty days after the passage of this ordinance, file its written acceptance hereof with the city clerk, in which written acceptance the Pelletier Company shall bind itself, its successors and assigns to at all times keep said alley lighted in such manner as the city council may direct from time to time, and to keep said alley open and free from any and all obstructions, and to keep the surface of said alley at all times paved, as may be directed by the city council; and shall also bind itself, in said written acceptance, to make satisfactory arrangements with any public service company now using said alley, permitting the Pelletier Company to erect the building over said alley in the manner herein described. The said Pelletier Company shall also, in said written acceptance, agree that it will erect a building over said alley, as herein authorized, within one year from the date of the passage of this ordinance; and that in erecting said building it will construct

that portion fronting on Pierce street so that the same will have a uniform appearance and frontage with the other buildings now standing on lots nine and ten in said block sixteen, Sioux City East addition.

SEC. 4. This ordinance shall be in full force and effect from and after its passage and publication as required by law, the expense of said publication to be paid by the Pelletier Company.

Passed February 1, 1910.

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### TO THE PELLETIER COMPANY.

AN ORDINANCE granting to the Pelletier Company of Sioux City, Iowa, its successors and assigns, permission and authority to build and excavate for a tunnel and passage-way under the east one-half ( $E\frac{1}{4}$ ) of the east and west alley in block sixteen (16), Sioux City East addition, in the manner as hereinafter set forth.

Whereas, The Pelletier Company, a corporation organized and existing under the laws of the state of Iowa, is now the owner of lots nine (9) and ten (10) in block sixteen (16), Sioux City East addition, and has erected on each of said lots large buildings to be used in the transaction of its mercantile business, and is desirous of joining said buildings by excavating under a portion of said alley between lots nine (9) and ten (10), in said block sixteen (16), and using said space for the purpose of a tunnel and passage-way;

*Therefore, Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the said Pelletier Company, its successors and assigns, is hereby granted permission and authority to connect its buildings on lots nine (9) and ten (10), in block sixteen (16), Sioux City East addition, by excavating a part of said alley, and constructing a tunnel and passage-way therein twenty (20) feet wide under the east one-half ( $E\frac{1}{2}$ ) of the east and west alley in said block sixteen (16), being a portion of said alley between said lots nine (9) and ten (10), in block sixteen (16) aforesaid.

SEC. 2. That in the excavation of said part of said alley, and the construction of said tunnel and passage-way, the said Pelletier Company shall have the right to excavate said portion of said alley twenty (20) feet in width to the depth of at least ten (10) feet

for the purpose of the construction of said tunnel and passage-way connecting said buildings.

That when said construction of said improvement by said excavation is made, the said Pelletier Company shall restore the portion of said alley so excavated by the construction of a safe, substantial and durable surface, built of iron or concrete, and cover the same by a pavement constructed of such material as the city council shall from time to time provide, and shall at the same time cover the entire surface of said alley by a pavement constructed of such material as the city council may from time to time provide.

That the said Pelletier Company has filed with the city engineer the plans and specifications showing the method of construction and measurements for said tunnel and passage-way, which correctly show the proposed construction and plan of said tunnel, and said plans and specifications so on file are hereby referred to for greater certainty.

SEC. 3. That said Pelletier Company, before making excavations under said alley, shall make satisfactory arrangements with any public service company now using any space under said alley, and secure their permission for the excavation of said portion of said alley in the manner herein described. And the said Pelletier Company shall also have the right to change the service pipes or conduits of any public service company now using any space in said alley, through the entire length of said alley, upon procuring consent from said public service company so to do, and for said purpose the said Pelletier Company shall have the right to make the necessary excavation in said alley for the purpose of changing said service pipes.

It is further provided, that in case the city of Sioux City, or the holder of any franchise now or hereafter received from said city for the purpose of constructing wires, cables, pipes or conduits therefor, shall require the use of any part of said tunnel herein provided for for said wires, cables, pipes or conduits, the said Pelletier Company shall grant to the said city, or said persons holding said franchise aforesaid, a sufficient space in said tunnel and passage-way aforesaid, for the construction of said wires, cables, pipes or conduits as shall be necessary for that purpose.

It is further provided that in the reconstruction of the surface of said alley, and the re-pavement thereof, the said Pelletier Company

shall have the right to raise the surface of said alley so as to give suitable and sufficient drainage from the center of said alley east and west.

It is further provided that in case the city shall hereafter determine to charge a rental for the use of the alleys or streets for underground area, then, in that event, the said Pelletier Company, or its assigns, will pay to the city for the use of said alley herein granted, a reasonable rental therefor, to be fixed by the council.

SEC. 4. The said Pelletier Company shall, within thirty (30) days after the passage of this ordinance file its written acceptance of said ordinance with the city clerk, in which written acceptance the said Pelletier Company shall bind itself, its successors and assigns, to indemnify and save harmless the city of Sioux City from any liability by reason of the excavation of said alley for the purposes aforesaid, and also bind itself, by said written acceptance, to make satisfactory arrangements with any public service company now using said space under said alley to permit said Pelletier Company to make said excavation under the same; and in said written acceptance the said Pelletier Company shall also bind itself, its successors and assigns, to give to said city, or the holder of any franchise received from said city for the purpose of constructing wires, cables, pipes or conduits, a sufficient space in said tunnel or passage-way for the construction of said wires, cables, pipes or conduits as shall be necessary therefor. And the said Pelletier Company, in said written acceptance, shall bind itself, its successors and assigns, to indemnify and save harmless the city of Sioux City from any liability by reason of any damage which may occur while said alley is being excavated, re-surfaced or paved and by reason of the construction, maintenance and use of said tunnel under said alley.

SEC. 5. This ordinance shall be in full force and effect from and after its passage and publication as required by law, and the expense of said publication shall be paid by the said Pelletier Company.

Passed July 30, 1910.

**TO DAVIDSON BROS. COMPANY.**

AN ORDINANCE granting to Davidson Brothers Company, of Sioux City, Iowa, its successors and assigns, permission and authority to build and excavate for coal bunkers under a part of the north and south alley in block twenty-one (21), Sioux City East addition, in the manner hereinafter set forth.

Whereas, Davidson Brothers Company, a corporation of the state of Iowa, is now the owner or lessee of lots ten (10), eleven (11) and twelve (12) and lot two (2), in block twenty-one (21), Sioux City East addition, and has erected upon said premises buildings for the transaction of mercantile business, and is desirous of using a part of the alley between said lot two (2) on the west and lot eleven (11) on the east, in said block for the purpose of storing coal;

*Therefore, be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the said Davidson Brothers Company, its successors and assigns, are hereby granted permission and authority to excavate for and construct a coal bunker in the north and south alley in block twenty-one, Sioux City East addition, between lot two (2) on the west, and lot eleven (11) on the east, in said block, for the purpose of storing coal therein, which space in said alley for such construction shall be the entire width of said alley and twenty-six and one-half ( $26\frac{1}{2}$ ) feet in length and may be constructed to a depth of at least ten (10) feet, and shall be used by said Davidson Brothers Company for the purpose of handling and storing coal.

That when said construction of said improvement by said excavation is made, the said Davidson Brothers Company shall restore the portion of said alley so excavated by the construction of a safe, suitable and durable surface built of iron or concrete, and cover the same by a pavement constructed of such material as the city council may from time to time provide, and shall, at the same time, cover the entire surface of said alley with a pavement constructed of such material as the city council may, from time to time, provide; provided, however, that the openings in said alley for the receiving of coal therein, shall be constructed of iron.

That the said Davidson Brothers Company has filed with the city engineer plans and specifications showing the method of construction and measurements for said bunker, which correctly shows

the proposed construction, plan of said bunker and the openings therein, and plans and specifications so on file are hereby referred to for greater certainty.

SEC. 2. That said Davidson Brothers Company, before making said excavation under said alley, shall make satisfactory arrangements with any other public service company now using any space in said alley, and secure their permission for any changes necessary to be made in the location of their wires or conduits; and said Davidson Brothers Company shall have the right to change the service pipes, conduits and wires of any public service company now using any space in said alley, upon procuring consent from said public service company so to do.

It is further provided that in case the city of Sioux City, or the holder of any franchise now or hereafter received from said city for the purpose of constructing wires, cables, pipes or conduits therefor, shall require the use of any part of said bunker herein provided for, for said wires, cables, pipes or conduits, the said Davidson Brothers Company shall grant to said city or said persons holding said franchise aforesaid, a sufficient space in said bunker for the construction of said wires, cables, pipes or conduits as shall be necessary for that purpose.

In case the city shall hereafter determine to charge a rental for the use of the alleys and streets for underground area, then, in that event, the said Davidson Brothers Company, or its assigns, will pay to the city for the use of said alley herein granted, a reasonable rental therefor to be fixed by the council.

SEC. 3. It is further provided that the said Davidson Brothers Company shall at all times keep said openings in said surface above said bunker properly guarded and protected to prevent any accident or injury therein, and the said openings shall be firmly closed when not in use for the purpose of receiving coal through the same, and the coverings for said openings in said alley shall be constructed in a safe, substantial and proper manner.

In case the city shall at any time hereafter desire to use for public purposes said underground area under said part of said alley hereby granted, then in that event, said Davidson Brothers Company, their successors or assigns, will surrender to the city the possession of said underground area hereby granted, and release without compensation all rights thereto upon thirty days' written notice



given by the city to said Davidson Brothers Company, their successors and assigns, of the election of the city to use said space for public purposes.

SEC. 4. That said Davidson Brothers Company shall, within thirty (30) days after the passage of this ordinance, file its written acceptance of said ordinance with the city clerk, in which written acceptance the said Davidson Brothers Company shall bind itself, its successors and assigns, to indemnify and save harmless the city of Sioux City from any liability by reason of the excavation of said alley for the purpose aforesaid; and also bind itself, by said written acceptance, to make satisfactory arrangements with any public service company now using said space in said alley, to permit said Davidson Brothers Company to make said excavation under the same, and in said written acceptance the said Davidson Brothers Company shall also bind itself, its successors and assigns, to give to said city or the holder of any franchise received from said city for the purpose of constructing wires, cables, pipes or conduits, a sufficient space for the construction of said wires, cables, pipes or conduits as shall be necessary therefor.

And said Davidson Brothers Company shall also in said written acceptance, bind itself, its successors and assigns, to indemnify and save harmless the city of Sioux City from any liability by reason of any damage which may occur while said alley is being excavated, resurfaced or paved, or by reason of the construction, maintenance and use of said bunker under said alley, or by reason of the construction, maintenance or use of the opening in said alley connecting with said bunker.

SEC. 5. This ordinance shall be in full force and effect from and after its passage and publication as required by law, and the expense of said publication shall be paid by the said Davidson Brothers Company.

Passed August 13, 1910.

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### STREET IMPROVEMENTS.

AN ORDINANCE providing for grading, parking, curbing, paving, graveling, macadamizing and guttering any street, highway, avenue or alley or any part thereof within the limits of the city of Sioux City, Iowa, and for the reconstruction of any such street improvement, and providing the manner of making assess-

ments against abutting property, for issuing assessment certificates for payment thereof, and providing the manner and means of payment for such improvement.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That when the city council of said city shall deem it advisable or necessary to improve any street, highway, avenue or alley within the limits of said city, by grading, parking, curbing, paving, graveling, macadamizing and guttering the same, or any part thereof, it shall in a proposed resolution declare such necessity or advisability, stating therein the kind of material proposed to be used and the method of construction, whether abutting property will be assessed, and designate the location and terminal points thereof, and cause twenty days' notice of the time when said resolution will be considered by it for passage to be given by four publications in some newspaper of general circulation published in said city, the last of which shall not be less than two nor more than four weeks prior to the time fixed for its consideration, and upon the filing of said proposed resolution with the city council it shall cause to be prepared by the city engineer, or other person employed by the city council to discharge the duties of such office, plans and specifications for said proposed improvements and file the same with the city clerk.

SEC. 2. That upon compliance with the provisions of the preceding section of this ordinance and the passage of said proposed resolution, the city council of said city may by resolution or ordinance, order and direct the grading, parking, curbing, paving, graveling, macadamizing and guttering of any street, highway, avenue, or alley, or any part thereof, or the reconstruction of any such street improvements, and shall order the advertisement for bids, by sealed proposals, upon giving notice for at least ten days by two publications in a newspaper published in said city, which notice shall state as nearly as practicable the extent of the work and the kind of materials for which bids will be received, when the work shall be done, the terms of payment fixed, and the time the proposals shall be acted upon, each of which shall be accompanied, in a separate envelope with a certified check on some solvent bank in said city, for five per cent of the amount of the bid, payable to the order of the city, as security that the bidder will enter into a contract or contracts for the doing of the work and will give the re-

quired bond for the faithful performance of the said contract, or contracts and which check shall be forfeited to the said city of Sioux City in case any such bidder receiving an award of contract shall fail to properly execute the said required contract, or contracts, and bond.

SEC. 3. That after the opening of the bids referred to in the preceding section by the city council, it may make and enter into contracts for furnishing the material and labor for the performance of said work with the lowest bidder or bidders, and all such contracts or bonds for making or reconstruction of any such street improvement may contain a provision obligating the contractors and his or their bondsmen to keep such improvement in good repair for not less than one year from and after the acceptance of the same by said city, as provided by law, and after the execution of said contract or contracts, and prior to the commencement of work thereunder, shall file a certified copy of the same in the office of the city clerk, and said clerk shall file with the county auditor of said Woodbury County, Iowa, a written or printed copy of the notice of the resolution provided for in section one of this ordinance, a true copy of the proof of publication thereof, together with the certificate of said clerk that a resolution or ordinance has been adopted directing the making or construction of said street improvement. (As amended June 19, 1906.)

SEC. 4. When any improvement authorized by this ordinance shall have been completed, the city engineer or other person employed by the city council to discharge the duties of such office, or prepare such work, shall report the same to the city council, together with a statement showing the street or streets, or parts of streets, avenues or alleys, upon which any such improvements have been made, the entire cost of such improvements, including all proper costs and incidentals, the separate pieces of property, lots or parcels of ground abutting thereon, the names of the several owners thereof so far as may be, and the actual value of each of such pieces of property, lot or parcel of ground as shown by the last preceding assessment roll; also all railway or street railway tracks thereon, with the names of the several owners thereof, and the city council shall cause to be prepared a plat and schedule of the streets, avenues, highways, alleys, or the part thereof on which such improvement shall have been made or reconstructed, showing the separate lots or

parcels of ground, or specified portion thereof, as far as practicable, subject to assessment for such improvement, the names of the owners thereof and the amount legally assessable against any railway or street railway on account of such improvement, and shall file said plat and schedule in the office of the city clerk, which shall be subject to public inspection.

SEC. 5. That after the filing of the plat and schedule in compliance with the provisions of the preceding section, the city council shall proceed to ascertain and fix so far as may be the portion of the cost of such improvement legally assessable against each of the several separate pieces of property, lots or parcels of ground, abutting thereon, which assessment in all cases shall be in proportion to the special benefits conferred upon such property by such improvement and not in excess of such benefits, and in no case exceeding twenty-five per centum of the actual value of such property, and cause the several amounts so fixed to be entered upon such plat and schedule and made a part thereof and shall thereupon give at least ten days' notice by two publications in each of two newspapers published in said city and by handbills posted in conspicuous places along the line of such street improvement, that said plat and schedule with such entries thereon are on file in the office of the city clerk, and that within twenty days after the first publication all objections thereto, or to the prior proceedings on account of errors, irregularities or inequalities must be made in writing and filed with the city clerk.

SEC. 6. When the making or reconstruction of any such street improvement shall have been completed, or such part thereof shall have been completed, as under the contract or contracts, is to be paid for when done, and after the city council shall have heard and passed upon all such objections, if any, as may have been filed in compliance with the provisions of the preceding section and made the necessary corrections, said council shall then ascertain the cost of such street improvement including the cost of the estimates, notices, inspection, and preparing the assessment and plat, and such other expenses and incidentals as are properly chargeable by law to the abutting property and against railways and street railways, if any, for and on account of any such street improvement, and shall also finally ascertain what portion of such cost shall be by law and the ordinances or resolutions of the city under which such street

improvement was made assessable upon abutting property, including also that portion which shall be assessed upon such abutting property for intersections and spaces opposite property owned by the city or the United States, as herein provided, and also that portion which shall be by law assessed to and paid by railways and street railways, and said city council shall at one time by resolution or ordinance levy and make an assessment proportioned to benefits as provided in section five of this ordinance, of that portion of the entire cost of such street improvement as shown in said plat and schedule, as corrected and approved, assessable against each owner, and each piece of property, lot or parcel of ground fronting and abutting upon such improvement, and against railways and street railways, as provided by law, and such amount so assessed against such abutting property on account of such street improvement, as provided for in this ordinance, shall be levied and assessed as a special tax against the property so abutting thereon, and when levied and certified, as provided by law, shall be payable at the office of the country treasurer of Woodbury County, Iowa.

SEC. 7. So much of the cost of any street improvement at the intersection of any streets, highways, avenues and alleys, or any part thereof, and one-half of the cost of the same at spaces opposite streets, highways, avenues and alleys intersecting but not crossing, and at spaces opposite property owned by the city or the United States, or any part thereof, except that part to be constructed by, paid for by, or assessed to railways or street railways, as shall be necessary not exceeding the benefits thereto, as heretofore provided, shall be assessed against the property abutting or fronting upon that portion of the street, highway, avenue or alley so improved. If the assessment against railways and street railways added to the special assessments against abutting property shall be insufficient to pay the entire amount of the cost of such improvement, as heretofore provided in this ordinance, the deficiency of such cost shall be paid out of the general fund or the appropriate improvement fund, or other appropriate fund of the city, provided by law, as the city council may by resolution or ordinance provide. Or, if there be abutting property against which no special assessment can be levied, the proportion of the cost of the improvement which might otherwise be assessed against such property shall be paid in like manner.

SEC. 8. No abutting property shall be subject to special assess-

ment, as herein provided, for any part of that portion of any street improvement, the cost of which is by law assessable to any railway or street railway. But in making such assessment against any property, lot or parcel of ground fronting or abutting upon the street or parts of streets, or alleys, where such railway or street railway is located, the entire cost of said improvement which is between the rails of any such railway or street railway tracks, and one foot outside the rails thereof shall be wholly assessable against such railway or street railway and the owner thereof. This rule shall govern the assessment in all cases where railways or street railways are upon the streets or alleys whether said railways or street railways are located in the center of such street or alley, or on the side or sides thereof, and when said tracks are located otherwise than in the center of the street or alley, the city council shall credit the abutting property on both sides of the street or alley equally with the amount of the improvement so chargeable to said railway or street railway, as heretofore provided.

SEC. 9. When the city council shall have made the assessment for any street improvement provided for by this ordinance, it shall, by resolution or ordinance, provide for the issuance of certificates for so much of the cost of such improvement as is chargeable to the property owners and the property along the line of such improvement, liable to assessment therefor, and each of which certificates shall state the amount or amounts, of one or more of the assessments made against the owner or owners, and lot or lots, or pieces of ground, designating such property, railways or street railways, on account and for payment of the cost of any such improvement, and shall transfer to the contractor, or his assigns, all the right and interest of such city to, in and with respect to every such assessment, and shall authorize such contractor and his or their assigns to receive, sue for and collect, or have collected, every such assessment embraced in any such certificate by and through any of the methods provided by law for the collection of special assessments for street improvements.

SEC. 10. The city council shall file, or cause to be filed, a certificate of levy of such special assessments, fixing the number of installments and the time when payable, certified as correct by the city clerk, with the county auditor of said county, to be by him placed upon the tax list of said county as provided by law.

SEC. 11. When any certificates of assessment shall have been prepared in compliance with the provisions of this or any other ordinance of the city, and are ready for delivery to the contractor, or contractors, the city clerk or other person authorized by the city council to perform such work, shall cause a notice to be published for at least five days, by not less than two publications, in a newspaper of general circulation, published in said city, notifying all parties interested that said certificates have been prepared and are ready for delivery to the contractor or contractors, and if they desire to avail themselves of the extension of the time, for the payment of such assessment, in seven equal annual installments with six per cent. interest, they must, within thirty days from the date of such assessment, appear at the office of said city clerk, and agree in writing, by endorsement on, or in a separate agreement attached to such certificate or certificates that in consideration of having the right to pay such assessment in installments, as aforesaid, they will not make any objection of illegality or irregularity as to their assessment or assessments, or levy of such tax upon and against his or their property, and will pay the same with interest thereon at six per cent. per annum, together with all penalties as prescribed by law.

The agreement on the back of the said certificates shall be in the following form, to-wit:

"I,....., in consideration of having the right to pay the assessment mentioned in the within certificate in installments as prescribed by law, do hereby agree that I will not make any objection of illegality or irregularity as to said assessment or levy of such special tax upon and against the within described property and that I will pay the same with interest thereon at the rate of six per cent. per annum, and all penalties as prescribed by law, from the date of said assessment."

And before the city shall deliver or cause to be delivered any such certificates to the contractor or contractors, or their assigns, it shall take from every such contractor a receipt certifying that said contractor has been paid in full to the extent of such certificates for all work and labor performed, and material furnished under said contract, and that he or they have no claim or claims for extras or for damages against the city of Sioux City growing out of said contract, and if any such claim is made it shall be presented to the city council and adjusted by said council before the delivery of said

certificates, and said certificates shall not be issued and delivered to such contractor, or his or their assigns, except upon resolution of said city council.

SEC. 12. All ordinances or parts of ordinances in any manner conflicting with the provisions of this ordinance are to the extent of such conflict hereby repealed.

SEC. 13. This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Passed May 8, 1900.

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### CONSTRUCTION OF SIDEWALKS.

AN ORDINANCE regulating the construction, rebuilding and repairing of sidewalks, and providing for the assessment, levy and collection of a special tax to pay the costs of the same, requiring permits for building sidewalks, and providing punishment for a violation of the provisions thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the city council shall have power to provide for the construction, reconstruction, and repair of permanent sidewalks upon any street, highway, avenue, or public ground within the city where such street, highway, avenue, or public ground has been brought to the established grade, and such walk shall be so laid as to conform to such established grade.

SEC. 2. The city council shall have power to provide for the laying and relaying of temporary sidewalks upon any street, avenue, or public grounds within the limits of the city, the grade whereof has not been established or which has not been graded to conform to the established grade, and to assess a special tax for the cost and expense of such temporary walk at a cost not exceeding forty cents per lineal foot, but no permanent nor temporary sidewalks shall be ordered constructed, reconstructed, laid or relaid, unless the same is asked by a petition of the owners of a majority of the front feet of lots and lands belonging to the respective owners, or unless the same is ordered by the affirmative vote of three-fourths of all the members of the council.

SEC. 3. Whenever a street or portion thereof shall have been graded the city council may by resolution order permanent sidewalks to be constructed along such street or portion thereof and shall, by



such order, designate the time in which the same shall be completed, the width of such walks, and the material of which they shall be constructed.

SEC. 4. Whenever the city council shall, in accordance with the provisions of the preceding section, order any permanent sidewalk to be laid, such resolution shall be published in one issue of a daily or weekly newspaper published in said city, and it shall be the duty of the city clerk to serve or caused to be served a written or printed notice of such order on the owner of each of said lots or parts of any lots, land or parcel of land fronting or abutting upon said contemplated improvement when the owner can be found, or upon his agent or the attorney for the property if such be known in the city, and the officer serving such notice shall make due return of the person upon whom service was made and the notice and return shall be filed with the city clerk and by him preserved among the records of the city. When the officer returns that no one is found on whom such service can be made, then the publication of the resolution herein provided for shall be held sufficient notice to such absentee or non-resident.

SEC. 5. If the owner, or owners, of any lot or lots, part of any lot, land or parcel of land fronting or abutting upon said contemplated improvement shall refuse, fail or neglect to have such sidewalk done by the time limited by the order of the city council, the city shall procure the same to be done by contract, first giving notice in some daily or weekly newspaper published in the city, asking for sealed proposals and stating extent of the work, in what manner to be done and at what time the proposals will be acted upon by the city council, and the work shall be let to the lowest responsible bidder, who shall give bonds for the faithful performance of the work, provided that all bids for said work may be rejected by the city council if by it thought to be unsatisfactory and new bids ordered.

SEC. 6. When the work is completed under such contract the council shall then levy and assess the cost and expense thereof, including that of advertisement and all expenses incident to the work upon the several lots or pieces of land, and owners thereof in front of which said sidewalks shall have been constructed, apportioning the same among the several lots, parts of lots or parcels of land and owners thereof, according to the special benefits thereto, as provided by law, and the amount so apportioned to each lot, part of lot, or

parcel of land and owners thereof, shall constitute a special tax against each lot, part of lot, or parcel of land, and the owner thereof, and the same with all interest, penalties or costs accruing thereon shall be a lien upon such real estate until paid, and shall be collected in the manner provided for collection of special taxes.

SEC. 7. It shall be the duty of every owner of any lot or piece of ground in said city bounded by any street along which no permanent sidewalk has been constructed, whenever ordered by the city council, to construct a temporary sidewalk along said street in front of his lot or piece of ground, and within such time as the council may designate; such temporary walk shall be composed of plank or brick and of such thickness and width as the city council shall by resolution order.

SEC. 8. Whenever the city council shall order a temporary sidewalk made it shall be the duty of the city clerk to cause to be served a copy of said order on the owner or owners of the lots or parts of lots or lands fronting on such proposed improvement, or when the owner is absent or a non-resident, or cannot be found within the city, upon the agent of or attorney for the property, if any, in the city, but in case service cannot be made as above provided, then the publication of the resolution, which shall be made as provided for permanent walks, shall be sufficient notice thereof.

SEC. 9. If any owner shall fail to construct such temporary sidewalk in the manner and within the time required by the order of the city council as hereinbefore provided, the city council may have the same done by contract, provided that the expense of constructing such walk shall not exceed forty cents per lineal foot and provided such expense or cost shall be assessed as a tax against said lot, part of lot, or land, and the owner thereof according to the special benefits thereto as provided by law, and said assessment, with all interest, penalties and costs accruing thereon, shall be a lien upon the lot or lots, or parts of lots or land so assessed from the time such assessment is made, and the same shall be collected in the manner provided for the collection of special taxes.

SEC. 10. When any permanent or temporary sidewalk which shall be constructed as provided in this ordinance shall be completed, the city engineer or other person employed by the city to discharge the duties of such office, shall make report thereof in the same manner so far as applicable, as provided in section four of ordinance

No. F1803, in relation to grading and other street improvements, and all subsequent steps in making the said assessment shall be in the same manner, so far as applicable, as is provided in said ordinance No. F1803.

SEC. 11. It shall be the duty of every owner of any lot or piece of ground fronting on or along any street to keep and maintain in repair the sidewalk, whether permanent or temporary, which is or shall be laid along said street in front of said lot or piece of ground.

SEC. 12. Whenever any sidewalk shall become out of repair the street commissioner shall give the owner of the lots or property in front of which said sidewalk may be out of repair, notice to cause the same to be forthwith repaired, and if the same shall remain out of repair three days after the service of such notice, said street commissioner shall forthwith repair the same and report the cost and expense thereof to the city council and said council shall thereupon levy a special tax upon said lots and lands, as provided by law, to pay the cost thereof, provided that if the same is dangerous for travel said street commissioner shall forthwith repair the same without notice to the owner and report the cost thereof to the city council, and the said council shall make assessment therefor, as aforesaid. Such assessment may be made by resolution therefor and shall be certified if necessary to the county auditor as in case of other special assessments.

SEC. 13. It shall be the duty of the city marshal to require patrolmen to inspect all walks and crosswalks within his district or beat at least once every two weeks by some efficient and systematic method to the end that no walk or crosswalk shall become dangerous or out of repair, and each patrolman shall report to the chief on proper blanks the location, the name of the owner and the description of the abutting property, and the particular defect and general condition of all defective and dangerous walks; said city marshal shall, as soon as report of any defect or report of dangerous walk is received, make a report of it and deliver said report received from the patrolman to the street commissioner.

SEC. 14. The street commissioner shall enter in a book kept for that purpose all of said reports received from the city marshal or sidewalk inspector and shall mark in appropriate columns the information contained in said reports, giving the date when received,

date of notice, by whom report was made, whether sidewalk was repaired and date when repaired or built.

SEC. 15. The street commissioner on receiving notice of any dangerous or defective walk shall at once order the same repaired or rebuilt within the shortest possible time.

SEC. 16. It shall be the duty of the city marshal whenever it shall come to his knowledge or that of his patrolmen that any person has sustained an injury on account of an alleged defect in a sidewalk or crosswalk, to at once examine said sidewalk or crosswalk where said injury is alleged to have occurred and to ascertain all facts in relation to such injury and make a proper written record thereof and deliver the same to the city solicitor.

SEC. 17. Special assessments for building of sidewalks shall be due and payable with interest on the date of such assessment and shall be collected at the next succeeding March semi-annual payment of ordinary taxes and such tax, with interest, shall become delinquent on the first day of March next after their maturity, and shall bear the same interest with the same penalties as ordinary taxes, and the city council shall by resolution cause the issuance of assessment certificates for so much of the cost of such improvements as is chargeable to the property owners and the property along the line of such improvement liable to assessment therefor in the same manner and with the same effect and taking the same receipt therefor provided for such certificates in said ordinance No. F1803.

SEC. 18. The city council may at any time by resolution condemn any sidewalk now or hereafter in use in the city, which is constructed of materials in any manner different from what is herein specified in any resolution that may be passed under this ordinance, and may order and compel the walk to be rebuilt in conformity therewith.

SEC. 19. The width of all permanent sidewalks except when otherwise ordered by the city council shall be from the lot line to the curb line.

SEC. 20. Permanent sidewalks within the meaning of this ordinance shall be constructed of brick, stone or cement, or either as the city council may expressly, by resolution, order, and all sidewalks constructed under this ordinance shall be laid under the supervision and subject to the approval of the superintendent of streets and

public improvements and city engineer. (As amended April 14, 1903.)

SEC. 21. It shall be the duty of the city engineer to prepare plans and specifications for all sidewalks constructed under this ordinance, to be approved by the city council, and all bids for the construction of sidewalks shall be according to such plans and specifications.

SEC. 22. Any sidewalk which shall be constructed, relaid or reconstructed contrary to the provisions of this ordinance shall be condemned by the city council and said council shall order and cause any such walk to be rebuilt in accordance with the provisions of this ordinance, and shall charge and assess any cost and expense incurred by the city in rebuilding such sidewalk, as well as the cost and expense of removing such condemned sidewalks, upon the lot or lots or lands fronting upon such sidewalk, as provided in this ordinance.

SEC. 23. That whenever any person either as owner of the abutting property or contractor, shall desire to construct or reconstruct any sidewalk, whether ordered by the city council or not, he shall, before proceeding with the work of constructing or reconstructing said sidewalk, obtain from the city engineer a permit so to do and agree in writing, filed with said engineer, to comply, in the construction or reconstruction of said sidewalk, with the ordinances of the city and the specifications prepared for sidewalks by the said engineer, and that said work shall be done under the direction and subject to the approval of said engineer. All such permits shall be issued without charge and a copy thereof, together with the written permits above referred to, filed and preserved in the office of the city engineer. All permits issued for the construction or reconstruction of sidewalks shall state when the work is to be done

SEC. 24. Any person, firm or corporation who shall construct or reconstruct any sidewalk without first obtaining a permit therefor, or who shall refuse to comply with the specifications for such work prepared by the city engineer, or who shall fail or refuse to do such work under the direction of the said engineer, as provided herein, or who shall wilfully construct or reconstruct any sidewalk without compliance with or in violation of any of the provisions of this ordinance, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than one dollar nor more than one hundred dollars.

SEC. 25. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SEC. 26. This ordinance shall take effect from and after its passage and publication, as provided by law.

Passed March 10, 1903.

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### STAKING LIVE STOCK ALONG SIDEWALKS.

AN ORDINANCE prohibiting the staking of live stock within the incorporated limits of the city of Sioux City in such manner as to permit the said live stock to pass upon or over the public streets or highways of said city, and providing a penalty for the violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall stake or otherwise tie or fasten an animal within the incorporate limits of the city of Sioux City, Iowa, in such place or in such manner as will permit such animal to pass onto, over or across any of the public sidewalks, streets or alleys within the incorporated limits of the city of Sioux City, Iowa.

SEC. 2. Any person violating the provisions of this ordinance shall be liable to imprisonment in the county jail not exceeding fifteen (15) days or to a fine of not to exceed fifty dollars (\$50.00).

SEC. 3. This ordinance shall be in full force and effect after its passage and publication, as required by law.

Passed June 9, 1908.

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### PERMITTING WATER TO FLOW OVER SIDEWALKS.

AN ORDINANCE to prohibit the owners or tenants of real estate from permitting water to flow therefrom over sidewalks on the public streets, and fixing a penalty for a violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. No person, firm or corporation owning real property, or having the care and control of real property, within the limits of Sioux City, Iowa, shall permit the water to flow from the roof of any building on such property, upon or across the surface of any public sidewalk within the city of Sioux City, Iowa, nor

shall he or it permit any drain of any kind or nature to be so constructed or to so exist upon such real estate as to discharge water or liquids of any kind, upon or across the surface of any public sidewalk within the city of Sioux City, Iowa.

SEC. 2. No person, firm or corporation occupying real property within the corporate limits of the city of Sioux City, Iowa, shall knowingly throw or discharge any liquid substances from such property upon, over or across the surface of any public sidewalk within the limits of the city of Sioux City, Iowa, nor knowingly permit any water or liquids to flow from such premises upon or across the surface of any public sidewalk.

SEC. 3. That part of any street or alley intersecting with any other street or alley and commonly used by pedestrians, shall, for the purposes of this ordinance, be deemed a part of the sidewalk.

SEC. 4. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be punished by a fine of not less than fifty dollars (\$50.00) and not more than one hundred dollars (\$100.00) nor be imprisoned in the county jail for not less than fifteen (15) days or more than thirty (30) days.

SEC. 5. Each day that any real property within the limits of Sioux City, shall, by the owner, occupant or person in control thereof, be permitted to remain or exist, contrary to the provisions of this ordinance, shall be deemed a separate and distinct offense.

SEC. 6. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed December 10, 1907.

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## REMOVAL OF SNOW OR ICE FROM SIDEWALKS.

AN ORDINANCE providing for the removal of snow or ice from the sidewalks, and the manner of assessing the cost thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That whenever snow or ice shall be allowed to remain upon any sidewalk of said city for a period of ten (10) hours, the city council, or the department of streets and public improvements, shall have the right to remove the same, and the cost thereof shall be assessed, as provided by law, against the property abutting said sidewalk; provided said cost shall not exceed one and one-half (1½) cents per front foot.

SEC. 2. Whenever any snow or ice shall be removed from any sidewalk, in the manner provided for in section 1 hereof, the cost of such removal shall be reported to the city council, together with a description of the property and the number of feet of snow or ice removed, and the cost or expense thereof shall be assessed against said property in the manner provided by ordinance for making special assessments.

SEC. 3. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed February 11, 1911.

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### CONSTRUCTION OF SEWERS.

AN ORDINANCE providing for the construction, reconstruction and repair of sewers and catchbasins in any street, highway, avenue, alley, public ground or market place within the limits of the city of Sioux City, Iowa, and providing for making assessments and levying a sewerage tax and issuing certificates for payment thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That when the city council of said city shall deem it advisable or necessary to make, reconstruct and repair sewers and catchbasins in any street, highway, avenue, alley, public ground or market place or any part thereof within the limits of said city, it shall, in a proposed resolution, declare such necessity or advisability, stating therein the kind and size, the method of construction, the kind of material proposed to be used, designating the location and terminal points thereof and what adjacent property is proposed to be assessed therefor, and cause twenty days' notice of the time when said resolution will be considered by it for passage to be given by four publications in some newspaper of general circulation published in said city, the last of which shall not be less than two nor more than four weeks prior to the time fixed for its consideration, and upon the filing of said proposed resolution with the city council, it shall cause to be prepared by the city engineer or other person employed by the city council to discharge the duties of such office, plans and specifications for said proposed improvement and file the same with the city clerk.



SEC. 2. That upon compliance with the provisions of the preceding section of this ordinance and the passage of said proposed resolution the city council of said city may, by resolution or ordinance, order and direct the construction or reconstruction or repair of sewers and catchbasins in any street, highway, avenue, alley, public ground or market place or any part thereof within the limits of said city and shall order the advertisement for bids by sealed proposals upon giving notice for at least ten days by two publications in a newspaper published in said city, which notice shall state as nearly as practicable the extent of the work and the kind of materials for which bids shall be received, when the work shall be done, the terms of payment fixed and the time the proposals shall be acted upon. Each bid shall be accompanied in a separate envelope with a certified check on some solvent bank in said city for five per cent of the amount of the bid, the same to be named in the notice for bids, payable to the order of the city treasurer, as security that the bidder will enter into a contract or contracts for the doing of the work and will give the required bond for the faithful performance of the said contract or contracts, and which check shall be forfeited to the said city of Sioux City in case any such bidder receiving an award of contract shall fail to properly execute the said required contract or contracts and bond.

SEC. 3. That after the opening of the bids referred to in the preceding section by the city council, it may make and enter into contracts for furnishing material and labor for the performance of said work with the lowest bidder or bidders, and all such contracts and bonds for making or reconstruction of any such improvement may contain a provision obligating the contractors and his or their bondsmen to keep such improvement in good repair for not less than one year from and after the acceptance of the same by said city, and the said bond shall be so conditioned as to conform to such contract as provided by law, and after the execution and approval of said contract or contracts and prior to the commencement of work thereunder, shall file a certified copy of the same in the office of the city clerk and said clerk shall file with the county auditor of said Woodbury County, Iowa, a written or printed copy of the notice of the resolution provided for in section one of this ordinance, with a true copy of the proof of publication thereof, together with the

certificate of said clerk that a resolution or ordinance has been adopted directing the making or reconstruction of said improvement.

SEC. 4. When any such improvement authorized by this ordinance shall have been completed, the city engineer, or other person employed by the city council to discharge the duties of such office or prepare such work, shall report the same to the city council, together with a statement showing the streets, highways, avenues, alleys, public grounds or market places or part thereof in and upon which any such improvement has been made, the separate pieces of property, lots or parcels of ground adjacent thereto, the names of the several owners thereof and the several amounts to be assessed against each said piece of property, lot or parcel of ground, including all proper costs and incidentals, and the city council shall cause to be prepared a plat and schedule of the streets, highways, avenues, alleys, public grounds and market places or parts thereof in and upon which the same shall have been made or reconstructed, showing the separate lots or parcels of ground or specified portion thereof opposite and adjacent thereto, subject to assessment for such improvement, the names of the owners thereof, as far as practicable, and the amount to be assessed against each lot or parcel of ground, and shall file said plat and schedule in the office of the city clerk, which shall be subject to public inspection.

SEC. 5. That after filing the plat and schedule in compliance with the provisions of the preceding section, the city council shall give at least ten days' notice by two publications in each of two newspapers published in said city, and by hand bills posted in conspicuous places along the line of said improvement, that said plat and schedule are on file in the office of the city clerk, and within twenty days after the first publication all objections thereto or to the prior proceedings on account of errors, irregularities or inequalities must be made in writing and filed with the city clerk.

SEC. 6. When the making or reconstruction of any sewers or catchbasins shall have been completed as under the contract or contracts is to be paid for when due, and after the city council shall have heard and passed upon all such objections, if any, as may have been filed in compliance with the provisions of the preceding section of this ordinance, and made the necessary corrections, said council shall then ascertain the cost of such improvement, including the cost of the estimates, notices, inspection and preparing the assessment

and plat, and such other expenses and incidentals as are properly chargeable by law for and on account of any such improvement, and shall also ascertain what portion of such cost shall be by law and the ordinances or resolutions of the city under which such improvement was made, assessable upon adjacent property, including also that portion which shall be assessed upon adjacent property for intersections and spaces opposite property owned by the city or the United States, and said city council shall, at one time, by resolution or ordinance, levy and make an assessment, as provided by law, of all such cost and expense of such improvement so assessable against adjacent property as shown in said plat and schedule as correct and approved against each owner and each piece of property, lot or parcel of ground adjacent to said improvement subject to such assessment in proportion to the benefit thereto and when so levied and certified as provided by law shall be payable at the office of the county treasurer of said county.

SEC. 7. For the purpose contemplated in this ordinance, all lots or parcels of ground or specified portion thereof situated within one hundred and fifty feet of any street, highway, avenue, alley, public ground and market place, in and upon which any sewers and catch-basins are made or reconstructed and not separated therefrom by any street, highway, avenue, alley, public ground or market place, shall be deemed adjacent thereto, and properly chargeable and assessable with special taxes and assessments to defray the costs and expenses thereof in proportion to the benefit thereto, but in estimating the benefits to result therefrom to any such adjacent property, no account shall be taken by the city council of improvements, and each piece of property, lot or parcel of land shall be considered as wholly unimproved.

SEC. 8. The cost, or any part thereof, of making, reconstructing or repairing sewers, including the cost thereof at the intersection of streets, highways, avenues and alleys, or any part of it, and one-half of the cost of the same at spaces opposite streets, highways, avenues and alleys intersecting but not crossing, and at spaces opposite property owned by the city or the United States, or any part thereof, shall be paid as follows, to-wit: An amount not in excess of three dollars per linear foot of sewer for the construction or reconstruction thereof shall be assessed as a special tax against adjacent property, subject to such assessment, according to the area of

the property, lots and parcels of ground properly chargeable therewith, in proportion to the benefit thereto, and the balance, if any, and all charges for repairs, shall be paid by the levy of a sewerage tax upon all taxable property within the entire sewerage district not exceeding in any one year two mills on the dollar on the assessed valuation of all property therein in the manner and as provided by law.

SEC. 9. When the city council shall have made the assessment and provided for the levy of a sewerage tax where necessary for any improvement provided for by this ordinance, it shall, by resolution or ordinance, provide for the issuance of assessment certificates for so much of the cost of such improvement as is chargeable to the property owners and property along the line of such improvement, each of which certificates shall state the amount or amounts of any one or more of the assessments made against the owner or owners and property, lots and pieces of ground and designating such property liable to assessment therefor, and likewise may, by resolution or ordinance, provide for the issuance of sewerage certificates payable by levy of a sewerage tax as provided by law to cover a balance of cost, if any remaining, for the construction or reconstruction or for repairs upon any such improvement, being in full payment of all costs and expenses of any such improvement, and it shall transfer to the contractor, or his assigns, all the right and interest of such city to, in and with respect to every such special assessment and sewerage tax, if any, and shall authorize such contractor, and his or their assigns, to recover, sue for and collect or have collected every such assessment and tax embraced in any such certificate by and through any of the methods provided by law for the collection of special assessments and taxes for and on account of any such improvement.

SEC. 10. The city council shall file or cause to be filed a certificate of levy of such special assessment and sewerage tax, if any, fixing the number of installments and the time when payable, certified as correct by the city clerk, with the county auditor of said county to be by him placed upon the tax list of said county as provided by law.

SEC. 11. When any certificates of assessment shall have been prepared in compliance with the provisions of this ordinance and are ready for delivery to the contractor or contractors, the city clerk

or other person authorized by the city council to perform such work shall cause a notice to be published for at least five days by not less than two publications in a newspaper of general circulation published in said city, notifying all parties interested that said assessment certificates have been prepared and are ready for delivery to the contractor or contractors, and if they desire to avail themselves of the extension of the time for the payment of such assessment in seven equal annual installments with interest as fixed by the city council, not exceeding six per cent, they must, within thirty days from the date of such assessment, appear at the office of the city clerk and agree in writing by endorsement on or in a separate agreement attached to such certificate or certificates, that in consideration of having the right to pay such assessment in installments as aforesaid, they will not make any objections of illegality or irregularity as to their assessment or assessments or levy of such special tax upon or against his or their property and shall pay the same with interest as fixed by the city council, not exceeding six per cent per annum, together with all penalties as provided by law. The agreement on the back of said assessment certificates shall be in substantially the following form, to-wit: "I, .....  
....., in consideration of having the right to pay the assessment mentioned in the within certificate in installments as provided by law, do hereby agree that I will not make any objection of illegality or irregularity as to said assessment or levy of such special tax upon and against the within described property, and that I will pay the same with interest thereon at the rate prescribed by the city council as provided by law, together with all penalties from the date of said assessment."

And before the city shall deliver or cause to be delivered any certificates provided for in this ordinance, to the contractor or contractors, or their assigns, it shall take from every such contractor a receipt certifying that said contractor has been paid in full for all work and labor performed and material furnished under said contract and that he or they have no claim or claims for extras or for damages against the city of Sioux City growing out of said contract, and if any such claim is made it shall be presented to the city council and adjusted before the delivery of said certificates, and said certificates shall not be issued and delivered to such contractor or to his or their assigns except upon resolution of the city council.

SEC. 12. All ordinances and parts of ordinances in any manner conflicting with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SEC. 13. This ordinance shall take effect and be in force from and after its passage as provided by law.

Passed May 9, 1899.

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### ESTABLISHING A SEWERAGE DISTRICT.

AN ORDINANCE providing for and establishing a sewerage district in and for the city of Sioux City.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the city of Sioux City be and the same is hereby declared to constitute one sewerage district.

SEC. 2. All ordinances and parts of ordinances in any manner conflicting with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SEC. 3. This ordinance shall take effect and be in force from and after its passage and publication, as provided by law.

Passed May 9, 1899.

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### PIPES LAID IN SEPARATE TRENCHES.

AN ORDINANCE to prohibit the laying of sewers, gas pipes or water pipes, or any connections therewith in the same trench, and to provide penalties for the breach of this ordinance.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all sewers, gas pipes or water pipes, and all or any connections therewith, shall be laid or constructed in separate and distinct trenches.

SEC. 2. That any person convicted of violating the provisions of section one of this ordinance shall be fined not less than \$5.00 nor more than \$100.00, or may be imprisoned in the city prison not more than thirty days.

Passed May 27, 1886.

### TAPPING OF SEWERS.

AN ORDINANCE to regulate the tapping of sewers.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. No person or corporation shall tap any public sewer or connect with any such sewer without first obtaining permission so to do from the superintendent of the department of streets and public improvements, and city engineer of said city.

SEC. 2. Such permission shall be in writing and signed by the said engineer and by the superintendent of the department of streets and public improvements.

SEC. 3. Any person tapping or connecting with any such sewers without having obtained permission, as in sections one and two hereof provided, shall, upon conviction, be fined in any sum not exceeding one hundred dollars and costs of prosecution.

Passed January 6, 1885.

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### STORM AND SANITARY SEWERS.

AN ORDINANCE providing for and fixing the terms and conditions on which sanitary sewer connections with the Bacon creek conduit, and with the Cole's addition sewer as hereinafter described, will be permitted.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That what is known as Bacon creek conduit is located in the center of Grand street and begins on the east line of Rustin avenue, and runs west to the Floyd river; and that what is known and termed as Cole's addition sewer is constructed in Plymouth street, beginning at the center of Eleventh street, thence south to Seventh street; in Charles street beginning at the center of Seventh street, thence south to the Floyd river; and in Seventh street beginning at the West line of the alley between Dubuque and Pacific streets, thence west to the center of Plymouth street; and in Eighth street beginning at the center line of Dubuque street, thence west to the center line of Plymouth street; and in Ninth street beginning at the center line of Dubuque street, thence west to the center line of Plymouth street; and in Dubuque street beginning at the center line of Tenth street, thence south to the center line of Ninth street.

That each of said sewers are constructed as storm water sewers and incidentally to be used as sanitary sewers.

SEC. 2. That the city of Sioux City hereby reserves the right to at any time discontinue the use of Bacon creek conduit and Cole's addition sewer for sanitary purposes, and to cause all sanitary sewers hereafter connected with the Bacon creek conduit or Cole's addition sewer to be discontinued at the expense of the property owners.

SEC. 3. That whenever any property owner desires to connect with the Bacon creek conduit or Cole's addition sewer a written application shall first be presented to the city engineer requesting that a permit issue allowing said property owner to connect with the said sewer, subject to the right of the city of Sioux City to at any time that it may so desire, revoke, cancel and disconnect the said sanitary sewer at the expense and cost of said property owner.

SEC. 4. That this ordinance shall be in full force and effect from and after its passage and publication, as provided by law.

Passed November 12, 1910.

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### DANGEROUS LIQUIDS IN SEWERS.

AN ORDINANCE to prevent the emptying, pouring, throwing or draining into any public sewer any gasoline, benzine, naphtha or other dangerous or poisonous liquid.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. No person, or persons, shall empty, pour, throw, or drain, or cause to be drained, into any public sewer within the city any gasoline, benzine, naphtha or substance such as is liable to produce dangerous or poisonous gases, fumes or exhalations.

SEC. 2. Any person violating the provisions of this ordinance shall be liable to punishment by fine not exceeding one hundred dollars or imprisonment not exceeding thirty days.

SEC. 3. This ordinance shall take effect from and after its passage and publication as provided by law.

Passed August 1, 1905.

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### OBSTRUCTIONS OF STREETS AND ALLEYS.

AN ORDINANCE to prevent the deposit of filth, trash, litter or other things offensive or dangerous and obstructions in alleys, streets and highways, and to provide for the removal thereof.



*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall throw, sweep, deposit or place in any alley, street, or highway, any ashes, manure, slops, garbage, leaves, grass, paper, rags, shavings, hair, earth, sand, plaster, tin cans, tin waste, glass, wire or any other trash, offal, litter, or other articles or things which shall be offensive or dangerous or be an obstruction to the use of said alley, street or highway, and no person shall permit any of such articles or things to remain in any alley, street or highway adjoining premises owned or occupied by him for more than two days after he has knowledge thereof.

SEC. 2. No person shall throw, place or deposit in any alley, street or highway any wood, coal, hay, lumber, boxes or other obstructions whatever, and no person shall permit any of such articles or obstructions to remain in any alley, street or highway adjoining premises owned or occupied by him for more than two days after he has knowledge thereof.

SEC. 3. Whenever any of the articles or things mentioned in sections one and two of this ordinance are thrown, placed, deposited, or permitted to remain in any alley, street, or highway, the marshal or health officer shall cause notice to be served on the owner of the premises or agent in charge thereof, or the occupant of the premises adjoining said alley, street or highway, to remove said articles or things within two days, and a like notice shall be served on the person throwing, placing or depositing the same in said alley, street, or highway, if known, and if the same is not removed within the time fixed in said notice, the marshal shall cause the same to be removed at the expense of the person by whom they were thrown, placed or deposited in said alley, street, or highway, the owner, or agent in charge thereof, or of the occupant thereof.

SEC. 4. It shall be the duty of every police or health officer to promptly report any violation of this ordinance to the mayor.

SEC. 5. All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

Passed May 27, 1902.

**GARBAGE, SLOPS, ETC., IN STREETS AND ALLEYS.**

AN ORDINANCE prohibiting the deposit and accumulation of any garbage, slops or waste material in the streets, alleys or public grounds of the city or on private property within the city limits, except the same be in barrels, boxes or other proper receptacles provided with tight fitting covers. Also prohibiting the accumulation of manure in the streets and alleys or on private property within the city limits. Also prohibiting the construction or maintenance of privy vaults within the city limits in territory adjacent to sewers. Also requiring all lunch stands and candy vendors to keep all their articles of food under covers and free from contamination with flies or dust. Also prohibiting the dumping of manure, garbage or waste material within the city limits except in such places as may be designated by the mayor.

*L. it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall deposit any garbage, slops, manure or waste material in any of the alleys, streets or public grounds of the city except the same be in receptacles with tight fitting covers.

SEC. 2. No person shall deposit any garbage, slops, manure or waste matter on any private property within the city of Sioux City and permit the same to remain for a period of more than twenty-four hours, except the same be in receptacles with tight fitting covers.

SEC. 3. No person shall hereafter construct any privy vaults within the city of Sioux City in any locality within the distance of one hundred and fifty feet from any sanitary sewer, and all privy vaults now existing shall from and after three (3) years from the passage of this ordinance be immediately closed and so filled that the same can no longer be used.

SEC. 4. All persons engaged in conducting street lunch stand or selling candies upon the streets of Sioux City shall keep all such lunches and candies and other articles of food under covers in such a manner as to avoid contamination with flies and dust.

SEC. 5. It shall be the duty of the owner of any property within the city of Sioux City, or the agent for any property within the city of Sioux City, in case the owner is a non-resident, to keep said premises so owned by him, or which is under his control as agent, free

from deposits of garbage, slops, manure and other waste material of like kind. And any owner or agent who shall fail, after twenty-four hours' notice from the city, its officers or agents, to remove any and all garbage, privy vaults, filth, slops, manure or other waste material of like kind from the premises owned by him or over which he has control, shall be liable to the penalties of this ordinance.

SEC. 6. Any person violating any of the provisions of this ordinance shall be liable to a penalty of not less than twenty-five dollars (\$25.00) or more than one hundred dollars (\$100.00) or imprisonment in the county jail for a period of not less than seven days and not more than thirty days.

SEC. 7. This ordinance shall be in full force and effect after its passage and publication, as required by law.

Passed July 21, 1908.

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### **HOTELKEEPERS TO REMOVE SLOPS AND OFFAL.**

AN ORDINANCE requiring all owners, proprietors, or keepers of hotels, restaurants, boarding houses and meat markets to remove all accumulated garbage and offal once in every twenty-four hours from the first of the month of April to the first of the month of November in each year, and twice in each week during the remainder of the year, and providing the penalties for the violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That any person, firm or corporation owning, keeping or operating any hotel, restaurant, boarding house or meat market within the city of Sioux City, Iowa, shall remove all accumulated garbage or offal at least once in every twenty-four hours, and no such person, firm or corporation shall permit any garbage, swill or offal to collect and remain at or about their premises, or in any public street, or alley within the city of Sioux City, Iowa, for a period of more than twenty-four hours at any one time.

SEC. 2. The provisions of the preceding section shall be applicable from the first of the month of April to the first of the month of November in each year, and during the remainder of the year the removal of all such garbage or offal, as is referred to in section one, shall be made at least twice during each week.

SEC. 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be imprisoned in the county jail not to exceed thirty days or fined not to exceed thirty dollars (\$30.00).

SEC. 4. All ordinances or parts of ordinances in conflict herewith are hereby, to the extent of such conflict, repealed.

SEC. 5. This ordinance shall be in full force and effect from and after the passage and publication, as required by law.

Passed September 11, 1906.

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### EXCAVATIONS FOR GARBAGE PROHIBITED.

AN ORDINANCE prohibiting excavations in streets, alleys and public grounds for the purpose of depositing garbage therein, or placing therein receptacles for garbage.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person, firm or corporation shall make any excavations in any street, alley or public grounds for the placing of a receptacle of any description therein, and no person, firm or corporation shall throw or deposit garbage in any hole or excavation in any street, alley or public ground within the city of Sioux City, Iowa.

SEC. 2. This ordinance shall be in full force and effect from and after its passage and publication, as provided by law.

. Passed May 26, 1908.

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### THROWING PAPERS UPON STREETS.

AN ORDINANCE prohibiting the throwing or depositing of papers on the streets and alleys, and prohibiting the deposit of loose papers in such a manner that the same may be carried on to the streets and alleys by the wind.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person, firm or corporation shall place, throw or deposit any loose papers of any kind or nature upon the streets or alleys of Sioux City, Iowa.

SEC. 2. That no person, firm or corporation shall permit loose papers of any kind or description to be so placed or deposited upon

private premises over which any such person, firm or corporation has control in such a manner that the same may be carried on to the streets or alleys of the city of Sioux City, Iowa, by the wind.

SEC. 3. That all persons, firms or corporations who have occasion to deposit loose papers of whatsoever kind or nature shall so deposit upon their own premises in covered receptacles in such a manner that the same cannot be blown on to streets and alleys by the wind.

SEC. 4. That in order to secure the conviction for the violation of any of the provisions of this ordinance, it shall only be necessary to prove the place or location from which any papers have been carried on to the streets or alleys, and the owners of the premises or the person in control of the premises from which said loose papers have been blown or from which such loose papers have been carried on to the streets and alleys by the wind shall, upon such proof, be deemed guilty of having violated the provisions of this ordinance.

SEC. 5. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars or by imprisonment not exceeding thirty days, in the county jail.

SEC. 6. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Passed May 14, 1907.

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### CLOTH BANNERS AND OTHER SIGNS.

AN ORDINANCE prohibiting the use or display of cloth advertising banners or signs, designating certain places in or on which signs, posters, advertisements, handbills or notices may not be placed, and providing penalty for violation hereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That it shall be unlawful for any person, or persons to tack, fasten, suspend or display in any way, on any building or buildings, or to suspend, or project across or over any street or alley, or any portion thereof, within the limits of said city, cloth signs or banners advertising anything, or for any purpose whatsoever.

SEC. 2. That it shall be unlawful for any person, or persons, to paste, post, paint, print or nail, or cause to be pasted, posted, painted, printed or nailed, any handbill, sign, poster, advertisement or notice of

any kind on any curbstone, flagstone, or any other portion of any sidewalk, or upon any tree, lamp post, telegraph pole, hydrant, telephone pole, trolley pole, street railway pole, or electric light pole, except name of a street placed by the city; or upon any part of any bridge; or, without first having secured permission from the owner thereof, upon any private wall, door, gate or fence, within the limits of said city. Provided, that the fact that any handbill, sign, poster, advertisement, or notice of any kind, is found pasted, posted, painted, printed, or nailed as aforesaid, shall be prima facie evidence that the person, partnership, association, corporation, and the members thereof whose business or occupation is so advertised, caused said handbill, sign, poster, advertisement or notice of any kind to be so pasted, posted, painted, printed or nailed as aforesaid.

SEC. 3. Nothing herein contained shall be construed to prevent city and county officers from placing legal notices in such conspicuous places as may be necessary for the giving of legal notice as required by law.

SEC. 4. Any person violating any of the provisions of this ordinance shall be subject to a fine of not more than one hundred dollars (\$100.00), or by imprisonment in the county jail for a term not exceeding thirty (30) days.

SEC. 5. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SEC. 6. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed February 18, 1911.

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### BUILDING PERMITS.

AN ORDINANCE to require any person, firm or corporation hereafter desiring to construct, remodel, alter or move any building within the city of Sioux City, Iowa, to secure written permission therefor from the city engineer and to require any person engaged in the business of moving houses for others to furnish an annual bond to the city and requiring any person, firm or corporation securing a permit to erect, alter, change or move any building to furnish a bond to the city and providing for a charge for the issuance of all permits to move buildings.

Whereas, it is deemed necessary and advisable, on account of the public health and safety to have plans for buildings erected within the city of Sioux City on file in the office of the city engineer to enable the engineering department to know of the location of water and sewer pipes in said buildings and the manner and method of connecting the same with the city sewer and water systems; and,

Whereas, it is also deemed necessary and advisable in the interest of the public health and safety that the city should be advised of the location and the manner and method of the construction of electric wire systems, gas pipes for lighting and heating purposes; and,

Whereas, it is also deemed necessary and advisable that the city be at all times fully advised of the manner and method of the construction of buildings within the city of Sioux City to protect the public health and safety in case of fire or contagious diseases.

Whereas, it is also deemed necessary and advisable that the city be protected against claims for damages to travelers on the public streets which may arise by reason of the use of said streets for the depositing of building material or any other use in connection with the erecting, moving or alteration of any such buildings; therefore  
*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That from and after the passage and publication of this ordinance no person, firm or corporation shall hereafter erect, move, remodel or materially alter or change the construction of any building, without first filing with the city engineer a set of the plans for such building, showing the size of said building, the number of rooms, the location of the openings in said building and the manner and method of the construction of the same, including any system of electric wires or gas pipes to be installed therein, showing also the location of all sewer and water pipes within said building and the manner and method of connecting the same with the city sewer or water system.

SEC. 2. Upon filing plans in the manner as provided in section 1 hereof, the engineer shall issue a permit authorizing the construction, moving, alteration or remodeling of the building referred to in said plans unless it appears to the said city engineer, from said plans, that the public health or safety would in some manner be jeopardized by the erection, alteration, moving or remodeling of said building, in which case he shall refer the matter to the city council with

a statement of his objections thereto in writing, and the city council shall then consider said plans and the city engineer's objections thereto and may grant or refuse the permit requested, as in its judgment may be deemed advisable for the protection of the public health or safety.

SEC. 3. (As amended March 29, 1910.) Any person, firm or corporation shall, before being entitled to receive a permit to erect, alter, change or move any building within the city of Sioux City, Iowa, file with the city clerk a bond with good and sufficient sureties, in the sum of one thousand dollars, said bond to be approved by the city engineer, and conditioned that the principal and sureties thereon shall hold the city harmless from any damages that may result to any person on account of the use of any portion of the public streets or alleys for depositing of building material, or any other use in connection with the erection, moving or alteration of any such building or buildings, and there shall be a separate bond for each building.

Provided, that the provisions of this ordinance shall not apply to the erection, remodeling, alteration or changing of construction of any building the cost of which shall be less than fifty dollars (\$50.00).

Provided, that any person engaged in the general construction business in the city of Sioux City, Iowa, may furnish to the city an annual bond in the penal sum of three thousand dollars (\$3,000.00), with good and sufficient sureties, conditioned that the principal and sureties thereon shall hold the city harmless from any damages that may result to any person on account of the use of any portion of the public streets or alleys, for depositing building material, or any other use in connection with the erection, moving or alteration of any such building or buildings. And in case such bond is furnished, then separate bonds for each building, as hereinbefore defined, shall not be required; but the general bond herein authorized shall cover all construction work of the principal within the city, during the life of said bond.

SEC. 4. In case any person, firm or corporation shall desire to move or cause to be moved upon, along or across any street, avenue or public ground, any building or structure of any description, a permit shall first be obtained therefor from the city engineer, which permit must be in writing and signed by the city engineer and shall specify the places from which and to which said building or struc-



ture is to be moved, the time within which such streets may be occupied for the purpose, and the streets and avenues along which said building may be moved.

SEC. 5. It shall be the duty of the owner of any building or person in charge of moving said building to complete the removal thereof and have said building entirely off of the city streets, alleys or avenues within the time specified in said permit, and it shall be the duty of the city engineer in granting said permit to specify therein the length of time to be allowed for the use of the public streets, alleys or avenues in which to complete the removal of any such building, and any person, before securing a permit to use any of such streets, avenues or alleys of the city for the purpose of the removal of any building or structure, shall first file with the city clerk a bond with good and sufficient sureties, conditioned that he will save the city harmless from all damages of all kinds and nature arising to any person or persons on account of the use of the public streets, avenues or alleys for such purpose, and will repair all pavements, sidewalks, curb stones or other street improvements injured thereby, under the direction of, and in such manner as may be ordered by the city engineer, said bond for the use of the public streets, avenues or alleys for the removal of buildings to be in the penal sum of five hundred dollars, and shall be filed with the city clerk and approved by the city engineer before the permit herein authorized shall issue, provided, however, that any person, firm or corporation engaged in the business of moving buildings or structures for others may file an annual bond with the city clerk to be approved by the city council in the penal sum of five hundred dollars, conditioned as provided in this section, and all of such bonds shall expire on the 1st day of April of each year, and in case any person, firm or corporation engaged in the business of moving buildings or structures for others shall file such an annual bond, to be approved by the city council, the same shall be in lieu of bond required at the time of securing permits, as provided in this ordinance, and no other bond shall be required, but it shall be the duty of the city engineer to issue permits in accordance with the provisions of this ordinance in all such cases where annual bonds are on file with the city clerk.

SEC. 6. Any person, firm or corporation asking for a permit under sections 4 and 5 of this ordinance shall first pay to the city treasurer, for the benefit of the contingent fund, the sum of five dol-

lars (\$5.00) for each permit, and in case of permits for the use of public streets, avenues and alleys for the removal of buildings or structures, the person securing such permit shall also pay an additional sum of two dollars (\$2.00) a day for each day specified in said permit after the first day during which the building may be on the streets, alleys or avenues in process of moving and a receipt for such payments shall be presented to the city engineer before the delivery of the permit. If a building is permitted to remain on the street for a longer period than is specified in the agreement the house-mover, the owner of the building and the principal and sureties on the bond shall be jointly and severally liable to the city in the penal sum of two dollars (\$2) per day for each day that said house remains upon the street, avenue or alley, after the expiration of said permit, and all of said parties shall also be jointly and severally liable to the city and to any person, firm or corporation who may be damaged either by the use of said streets, avenues or alleys for the purpose of moving such building or structure, or who may be damaged on account of any negligence in the use of the streets, avenues or alleys by the person or persons in charge of the moving of any building or structure.

SEC. 7. Any person, firm or corporation who shall hereafter construct, alter, remodel or move any building within the city of Sioux City, Iowa, without first securing a written permit therefor, as hereinafter provided, shall be subject to a fine of not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100.00), or imprisonment in the county jail not less than ten (10) days or more than thirty (30) days.

SEC. 8. This ordinance shall be in full force and effect from and after its passage and publication, as provided by law.

Passed January 11, 1910.

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### PERMITS FOR CURBING.

AN ORDINANCE requiring permits for constructing, resetting, repairing, or reconstructing curbing and requiring that such work shall comply with ordinance and specifications and be done under the direction and subject to the approval of the city engineer, and providing penalties for a violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That whenever any person shall desire to construct, reset, repair or reconstruct any curbing within the city, he shall, before proceeding with such work, obtain from the city engineer a permit to do so, and agree, in writing, filed with the city engineer, that he will in the construction, resetting, repairing or reconstruction of such curbing comply with the ordinances of the city and the specifications prepared therefor, and that said work shall be done under the direction and subject to the approval of the said city engineer; all such permits shall be issued without charge, and a copy thereof, together with the written agreement above referred to, shall be filed and preserved in the office of the city engineer. All such permits shall state when the work is to be done.

SEC. 2. Any person, firm or corporation who shall construct, reset, repair or reconstruct any curbing, without first obtaining a permit therefor, as herein required, or who shall wilfully construct or reconstruct any curbing in violation of the provisions of this ordinance, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one dollar nor more than one hundred dollars.

SEC. 3. All ordinances or parts of ordinances in any manner conflicting with this ordinance are hereby repealed.

SEC. 4. This ordinance shall take effect from and after its passage and publication as provided by law.

Passed October 23, 1901.

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## USE OF STREETS AND ALLEYS.

AN ORDINANCE regulating the use of streets and alleys.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all persons engaged in the erection of any building upon any lot fronting upon any street, avenue or alley, shall be entitled to the use of one-third of the street, avenue or alley along and in front of the building so in course of erection for the purpose of depositing thereon building material to be used in said building; provided, that persons so using said streets and alleys shall provide suitable passageways around said building material and keep the same fenced at points where foot passengers are wont to travel, and

at night sufficient light shall be placed around the same to insure the safety of persons and teams upon said streets and alleys; also provided, that said use of said streets and alleys for building purposes aforesaid shall not extend to any one person for a longer period than four months, except by resolution of the city council; and also provided, that said material shall be removed at any time when ordered by the city council.

SEC. 2. No person shall erect upon any street, alley or sidewalk, any signpost, sign or post of any description, except such as may be erected by the city for public purposes, or by persons or corporations thereto authorized by ordinances of the city, nor shall any sign be placed or constructed more than four feet from the lot line of the street, nor extend more than four feet from the building into the street; and no sign, show-case, stand or display of goods or merchandise of any description shall be attached to or fastened to the sidewalk, or allowed to stand thereon and extending more than four feet from the lot line into the street, nor suspended within eight feet from the sidewalk when attached to any building. No awnings of any kind shall be erected upon the sidewalks, nor shall any awnings extend into the street from any building except the same be folding cloth awnings. No awning shall be suspended less than eight feet above the sidewalk. Provided, that nothing herein contained shall be construed to prevent the erection of hitching posts in front of residences between the lot line and the curb line of said streets.

SEC. 3. Stands for the sale of any article of any description shall not be erected at any place upon the streets or alleys of said city except at such places as the superintendent of the department of streets and public improvements of the city council may direct; and said superintendent shall grant no permission to erect any such stands at any place, unless the license therefor shall have been first paid as by ordinance required, and written permission shall have been given by the owner and occupant of the property upon or in front of which said stand is to be erected. The term "stand" shall be construed and held to be any place where any article of any nature is sold to any person standing or passing along or upon the street, although said place of business may be wholly upon the lot fronting thereon.

SEC. 4. No area wall or enclosure shall be erected under the sidewalk of any street less than sixteen inches in thickness and the

travel upon such sidewalk shall not be wholly obstructed during the time when any excavation for any area purposes is being made, nor while the wall thereof is being constructed, and the same care and caution shall be exercised to insure the safety of persons traveling upon said streets while said area is in course of construction, as is provided for in section one hereof where buildings are being constructed. Should any person violate or fail to observe any of the regulations imposed in this section, in constructing such area or walls thereof he shall be subject to the fine in this ordinance specified, and the superintendent of the department of streets and public improvements may and shall order any excavation made for area purposes to be filled up at the cost of the person so offending.

SEC. 5. Should any area wall become unsafe or insufficient for the proper support of the improvements constructed upon the street, the superintendent of the department of streets and public improvements shall order the same to be forthwith repaired to conform to the provisions of this ordinance, or other ordinance of the city in relation thereto; or if the person shall fail to so repair the same forthwith, said superintendent shall cause the same to be filled up at the cost and expense of the person so permitting the same to be out of repair, and should any person allow any such area wall to remain out of repair for a period of five days after receiving notice to repair the same, he may be fined as hereinafter provided.

SEC. 6. All telegraph poles, telephone poles, electric light poles and fire alarm poles shall be erected in alleys, except by special permission of the city council.

SEC. 7. All telegraph wires, telephone wires, electric light wires, fire alarm wires, shall not be strung along or across the streets and alleys of said city at an elevation of less than twenty-five feet above the surface of the street or alley whereon they may be erected, except by special permission of the city council.

SEC. 8. No person shall make any excavation in any street or in any manner interfere with any permanent improvement thereon, except by permission of the superintendent of the department of streets and public improvements or other competent authority; and any excavation so made shall be so back-filled that the earth therein shall be securely tamped while the earth is being filled into the same, or water shall be so used such that the same shall at all times be above the dirt being thrown in, and any permanent improvement or

sidewalk shall be relaid in as good condition as the same was before the same was taken up; and said street and said improvements shall be maintained in good and safe condition for a period of six months after the time when said excavation was made, at the cost of the person making said excavation, to be recovered upon his bond as herein provided.

SEC. 9. All persons proposing to make any excavation in any street, avenue or alley, or to take up any improvement thereon for any purpose, or for any time to obstruct said streets and alleys for building, or other purposes, shall make and execute to the city of Sioux City a bond in the penal sum of twenty-five hundred dollars, with two or more good and sufficient sureties, to be approved by the mayor, or person having authority to grant permission to so use said streets and alleys as proposed, conditioned that the person so proposing to use said streets and alleys will save said city harmless from or by all acts to be done or performed by the person so proposing to use said streets or alleys in the manner specified in said bond, and from all damages, costs and expenses by reason thereof, or by any of his, her or their negligent acts, or acts of their employes, and that in so using said streets or alleys they will conform to and be governed by the terms and conditions specified in this ordinance, or in other ordinances of said city relating thereto, and that they will keep said street in good and safe repair at the point so proposed to be used for the period of six months next after the completion of the work for which said excavation or other use of said street is asked and granted.

SEC. 10. All shade trees hereafter planted and set out upon streets used for residence purposes, the curb line of which is twenty-one feet from the lot line, shall be set out and planted fifteen feet from the lot line, and on such streets where the curb line is fourteen feet from the lot line, said trees shall be planted and set out eleven feet from the lot line; provided, that whenever the city council shall, by resolution, order any such trees removed, notice of such order shall be given to the owner of the abutting property, and in case the same are permitted to remain five days after such notice, the city council may remove the same as provided in said resolution.

SEC. 11. Any person convicted of violating any of the provisions of this ordinance shall be fined not less than ten dollars, nor more than one hundred dollars, or imprisoned not exceeding thirty days.

Passed November 22, 1888.

**PROTECTION OF CEMENT GUTTERS.**

AN ORDINANCE prohibiting the driving of vehicles on to cement gutters and prohibiting the throwing of grass, weeds or debris of any kind in the cement gutters, and providing a penalty for the violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall hereafter drive any vehicles onto, over or across any cement gutters in the streets or alleys, except at regular crossings therefor; and no person shall hereafter throw any grass, weeds or other debris of any kind or nature into any of the cement gutters in the streets or alleys of the city of Sioux City.

SEC. 2. Any person violating any of the provisions of this ordinance shall be liable to a fine of one hundred dollars (\$100.00), or imprisonment in the county jail for a period of thirty days.

SEC. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed July 6, 1909.

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**PROHIBITING OBSTRUCTION OF PERRY CREEK.**

AN ORDINANCE prohibiting the obstruction of the channel of Perry creek.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person, firm or corporation shall, by himself, agents or employes throw or deposit, or cause to be thrown or deposited, into the channel or bed of Perry creek, within the limits of the city of Sioux City, any substance, rubbish, article or thing, nor shall any such substances be deposited or thrown over and beyond the top of the bank of said creek upon either side thereof, except by permission of the city council, giving the exact location upon the banks of said stream where any such substances may be deposited.

SEC. 2. That no person, firm or corporation shall, by themselves, their agents, servants or employes, drive or cause to be driven, any piles or posts between the tops of the banks on either side of said Perry creek, at the highest point thereof, and the water flowing in said creek as the same now flows or may hereafter naturally flow between said banks, and in no case shall any such piles or posts be allowed to be driven into the bed or waters of said creek. Pro-

vided, that upon application duly made to the city council, any such piles or posts may be driven for the protection of property against erosion of the banks caused by said stream, but in such case where such permission may be given, said piles or posts shall only be driven at such place or places in and between the said banks of said stream as the said council, after full knowledge thereof shall be had, may order and direct.

SEC. 3. That of the piles or posts now standing in the stream or upon and along the banks of said Perry creek, only such portion thereof shall be allowed to remain therein as the said council may deem proper, and where any substance, earth, manure, straw or rubbish has been thrown into or upon the banks of said stream only such portion thereof shall be suffered to remain as the city council shall order and direct, and any person who shall have driven any such piles or posts within the banks of said stream, or shall have thrown or deposited any of the substances above enumerated, upon the banks or into said stream, shall, within five days after the service upon him, her or them, of a written copy of any resolution of the city council ordering the same to be removed forthwith, remove the same.

SEC. 4. That each day's failure to remove any such piles or posts, or any of the substances caused to be thrown into said stream or upon the banks thereof, after notice so to do by the service upon the person causing said piles to be driven, or any such substances to be deposited, of a copy of such resolution herein referred to, shall subject the person so offending against the terms and provisions of this ordinance to a fine of not less than twenty-five dollars (\$25) for each day of such failure, and the person so offending shall be imprisoned until such fine is paid, and any person hereafter throwing or causing to be thrown into or upon the banks of said stream below the top thereof any of the substances or things above and herein enumerated, without authority from the city council so to do, or who shall hereafter drive any piles or posts into the bed or banks of said stream, without authority from said city council so to do, shall be subject to a fine of not more than one hundred dollars (\$100), and shall be imprisoned until such fine shall be fully paid.

Passed March 28, 1889.



**CHANGING PERRY CREEK CHANNEL.**

AN ORDINANCE providing for the change of Perry creek channel across lot 3 in block 60½, in Sioux City East addition, an addition to Sioux City, Iowa.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. In consideration, and upon the condition, of the granting by David Wood, the owner of all of lot 3 in block 60½, excepting the north 50 feet thereof, in Sioux City East addition, an addition to Sioux City, Iowa, to the city of Sioux City, Iowa, of the license to excavate a creek channel across the said block, through which the waters of Perry creek shall be diverted and permitted to permanently flow, said new channel to start at a point on the present channel opposite the east end of lot 3 in block 57 of Sioux City proper, and to extend in a southeasterly direction across the said block to a point of intersection with the present channel opposite the middle of the west side of lot 1 in block 55 of Sioux City proper, said new channel to be located as now surveyed and laid out by the city engineer, and to be not to exceed 30 feet in width at the bottom and not to exceed 60 feet in width at the top, the city of Sioux City, Iowa, hereby grants to the said David Wood, and agrees to convey to him by deed in proper form, accompanied by an abstract showing good title, all that part of said lot 1 in block 55 of Sioux City proper, lying north of the middle of the said new channel as surveyed and laid out, and the city of Sioux City further agrees, for the consideration named, to fill, at its own expense, when the said excavation is made, the old channel to a level of the street grade, from bank to bank, to the width of 20 feet, so as to connect the said lot 3 in block 60½ with, and to make it accessible from, West Eighth street from the east, and to connect said lot with and make it accessible from Sioux street, and to similarly fill, at its own expense, the old channel adjacent to that part of lot 1 in block 55, granted to the said David Wood, and from the west line of Market street to the north bank of the new channel.

SEC. 2. In the event the city of Sioux City diverts the channel of Perry creek as provided in the last section, and fails to perform the other provisions of the said section or any substantial part thereof, it shall pay to the said David Wood such sum as it would cost him to do the filling required and to acquire the property specified, by the said section, said sum to be determined by three arbitrators, one

to be chosen by the said David Wood, one to be chosen by the city, and the third to be chosen by those two.

SEC. 3. This ordinance shall be in effect from and after its passage and publication in the manner provided by law, which publication shall be at the expense of the city.

Passed March 22, 1910.

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### **LIVE STOCK ON BRIDGES.**

AN ORDINANCE to regulate the driving of live stock upon the bridges of the city of Sioux City.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That no person shall drive, nor cause nor permit to be driven in or upon any bridge of the city of Sioux City a greater number of live stock than ten head at any one time.

SEC. 2. Any person guilty of a violation of section one of this ordinance, upon conviction by any court of competent jurisdiction, shall be fined in any sum not exceeding twenty-five dollars (\$25.00), and shall be imprisoned until the fine and costs are paid.

SEC. 3. This ordinance shall be construed to extend and be binding upon the owners and agents, drivers or other employes of the owners, and upon all persons engaged in driving or guarding such live stock in crossing such bridges.

Passed July 17, 1883.

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### **DESTRUCTION OF WEEDS.**

AN ORDINANCE providing for the destruction of weeds and other noxious growths and providing for the assessment of the cost thereof to the property.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the owner or owners of each lot and parcel of ground within the limits of the city of Sioux City, Iowa, shall mow or cut near the surface of the ground before they shall bloom or seed, all weeds and other noxious growths thereon, or on the parkings fronting or abutting upon the same.

SEC. 2. That in the event the owner or owners of any lot or parcel of ground shall neglect or fail to comply with the provisions of the preceding section during the season, commencing June 15th and ending September 15th, it shall be the duty of the superintend-

ent of streets and public improvements, or other proper officer of the city, to give such owner or owners three days' notice by posting circulars in conspicuous places, to comply therewith, and upon his or their failure so to do, the said superintendent of streets and public improvements, or other proper officer, shall proceed to mow or cut the weeds, or other noxious growths in the manner provided in section one hereof, and report the cost and expense of the labor thus performed upon each parcel of land or parking belonging thereto, to the city council, and upon the approval of said report by the said council, it may, by resolution, levy and assess the cost against the lot or parcel of land upon which the work was done, and the resolution shall be certified by the city clerk to the city treasurer, and by such city treasurer entered upon the books of his office as a charge against said property and the owner or owners thereof, to be paid and collected in the manner provided by law and the ordinances of the city for the payment and collection of special charges, assessments and taxes against real property. The said costs and expenses may also be collected by suit or otherwise in the name of the city, against such owner or owners, and all such costs and expenses collected shall be placed in the general fund of said city.

Sec. 3. The superintendent of streets and public improvements, or other officer in charge of cutting weeds and other noxious growths, shall charge for every parking of fifty (50) feet in length or less, not more than fifty cents (50c); for each lot of fifty (50) feet front or less, not more than two dollars (\$2.00).

Sec. 4. All ordinances heretofore passed, providing for the destruction of weeds and other noxious growths and providing for the assessment of the cost thereof to the property, are hereby repealed.

Sec. 5. This ordinance shall be in force and effect from and after its passage and publication as provided by law.

Passed March 4, 1911.

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### UNDERGROUND CONDUITS FOR WIRES.

AN ORDINANCE regulating the use of the streets, alleys and public grounds of the city of Sioux City, Iowa, by persons, firms and private corporations owning, operating or maintaining electric light, power, telephone and telegraph wires, cables and poles within the said city, and providing for the placing of all such wires and cables in underground conduits within certain limits.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. All persons, firms and private corporations owning, operating and maintaining electric light, power, telephone or telegraph wires or cables within the city of Sioux City, are required within the period of five years from and after the date of the passage of this ordinance, to place all such wires and cables in properly constructed underground conduits within, and to remove all electric light, power, telephone and telegraph wires and poles, excepting distributing poles, from the district described in the next section.

SEC. 2. The following described territory shall constitute the underground electric conduit district, to-wit:

Commencing at the southwest corner of Third and Water streets, thence north along the west side of Water street to the center of the alley between Sixth and Seventh streets, thence east on the east and west alley between Sixth and Seventh streets to the center of Nebraska street, thence south along the center of Nebraska street to the center of the alley between Fifth and Sixth streets to the center of Jackson street, thence south along the center of Jackson street to the center of Fifth street, thence east along the center of Fifth street to the center of Iowa street, thence south along the center of Iowa street to the south line of Third street, thence west along the south line of Third street to the place of beginning.

SEC. 3. Before any person, firm or corporation, now, or hereafter operating or maintaining electric light, power, telegraph wires or cables, shall commence the work of placing the same underground, there shall be filed with the city engineer a written statement specifying the streets, alleys, and public places or parts thereof, in which it is desired to locate conduits, and such statement shall be accompanied with a map, plan and specifications showing the proposed location of the distribution poles, conduits, underground connections and manholes with reference to the streets and alleys, and lot lines, the size and dimensions of the poles, conduits and connections, and the distance beneath the surface of the ground it is proposed to lay the conduits. If the proposed locations of such distribution poles, conduits, underground connections and manholes shall interfere with the reasonable and proper use and maintenance of any other conduit, sewer, main, pile, manhole or other structure upon or under the streets, alleys or public places of the city, the city engineer shall, with the approval of the city council, and within a reasonable time after

the filing of such plan, map and specifications, make the necessary and proper changes therein. Such map, plan and specifications as changed and corrected, together with said original statement, shall remain on file in the office of the city engineer, and after the approval of the same by the city council, the said engineer shall issue a permit to excavate in the streets and alleys, and to erect and construct such distribution poles, conduits, manholes and underground connections, in accordance with said corrected map, plan and specifications, and no such excavation, construction or erection shall be commenced before the issuance of the permit herein provided for, and all work shall be in strict accordance with the said corrected map, plan and specifications.

SEC. 4. Every person, firm or private corporation constructing underground conduits, under the provisions of this ordinance, shall include in the plans and conduits, space of the capacity of one entire duct in which the city may place its wires, free of charge, and the city electrician shall be allowed free access to such ducts at all times, and shall be allowed facilities and privileges at all manholes for putting in or taking out wires or cables, equal in all respects to those of the person, firm or corporation owning or using the conduit.

SEC. 5. In the location, construction or repair of any conduit, manhole, underground connection and distributing poles, the excavation or obstruction made or placed in any street, alley or public ground at any time or for any purpose by any such person, firm or corporation shall be properly guarded, and all pavement taken up or displaced shall be properly and speedily replaced under the supervision of the city engineer; and the person, firm or corporation engaged in the making of such excavation, or in the construction or erection of wires, poles, conduits, etc., or in the repair of the same, shall pay all damages or injuries to persons or property as well as to the city of Sioux City, resulting from the negligence or improper construction, erection or repair of such conduits, manholes, underground connections and distribution poles, or the maintenance and use of the same, and shall fully indemnify and save harmless the city of Sioux City from and against all claims of every nature for damages to person or property arising or resulting from negligent construction or negligence in constructing or maintaining such improvements, or in the repair of the same, or resulting or arising from delay, or failure, to restore the street, alley or public ground to its

former condition, where excavations have been made, or resulting from a failure to properly guard such excavations. If any such person, firm or corporation shall fail to repair any street, alley or public ground after excavations have been made, and after five days' notice in writing to do so, given to its local representative, then the city may make such repairs at the expense of such person, firm or corporation.

SEC. 6. Before commencing work under the permit of the city engineer issued under the provisions of section 3 hereof, there shall be filed with the city clerk a bond in the sum of five thousand dollars, signed by two personal sureties, or by an authorized surety company, to be approved by the city council, conditioned that the person, firm or corporation making the improvement, shall restore, in the manner required by this ordinance, the streets, alleys and public grounds to be excavated under the permit, and to pay all damages which the city may sustain, directly or indirectly, by reason of the construction, or negligence in the construction of such work.

SEC. 7. The distribution of wires and cables to buildings or other locations above ground, within said underground district, shall be by means of poles or underground connections, the location of such poles, together with the manner of construction of such underground connections to be subject to the approval of the city council and under the supervision of the city engineer.

SEC. 8. Any person, firm or private corporation now owning or operating, or which may hereafter own or operate, electric light, power, telephone, telegraph or feed wires, or cables within this city, outside of the underground district described in section 2 hereof, may at its election place all or any portion of such wires or cables underground. In case this is done, however, the provisions of sections 3 to 7 inclusive of this ordinance shall apply to all such underground construction.

SEC. 9. Nothing in this ordinance contained shall be construed to abridge the right or power of the city to make further regulations relative to the use of the streets, alleys and public grounds by persons, firms or corporations using the same for the erection and maintenance of wires, cables and poles, nor to prevent the city from enlarging the underground district whenever it shall be deemed necessary.

SEC. 10. None of the provisions of this ordinance shall be so construed as to require the placing of the wires connected with the city fire alarm and police patrol service, the electric wires of the city lighting plant or plants, or the feed and trolley wires of street railway companies, in underground conduits.

SEC. 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEC. 12. Any person, firm or corporation violating, or refusing or failing to comply with the provisions of this ordinance, shall, upon conviction, be punished by a fine of not less than ten dollars (\$10) and not more than twenty-five dollars (\$25) for each and every pole, wire, or cable permitted to stand, remain or to be placed, or replaced, in violation thereof, and by a corresponding fine for each and every violation in other respects.

SEC. 13. This ordinance shall take effect from and after its passage and publication as provided by law.

Passed January 15, 1907.

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## POLES AND WIRES OUTSIDE CONDUIT DISTRICT.

AN ORDINANCE regulating the use of the streets, alleys and public grounds of the city of Sioux City by persons, firms and corporations owning, operating and maintaining telephone wires, cables and poles within the said city and providing for the placing of such wires and cables in underground conduits within certain limits.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

(All of this ordinance except the following section, repealed by the preceding ordinance.)

SECTION 9. Outside the underground district herein provided for, all poles, wires and cables shall be placed in the alleys so far as practicable, and when it shall be necessary to rebuild a line wholly or in part, it shall be rebuilt in alleys, when practicable, and not in the streets. All wires and cables shall be placed and maintained on poles which shall be not less than forty feet in length in the business district, and not less than thirty feet in length in the residence district. All poles authorized shall be located on streets or at the intersection of streets and alleys and shall be kept neatly painted. A

map or plat of the city showing the location of the poles, wires and cables of each person, firm or corporation operating or maintaining such poles, wires and cables outside of the underground district, shall be filed with the city engineer within thirty days after the passage of this ordinance, and within thirty days after such filing the location of the said wires, cables and poles, as shown by said maps or plats, shall be approved or corrected, and the corrections complied with by the respective owners or operators. But when substantial changes are required to be made in order to comply with the corrections such changes shall be made only where the line, cable or lead must be rebuilt. No changes or extensions of leads shall be made or constructed, and no leads shall be built or rebuilt without first filing with the city engineer a statement, map, plan and specifications similar to those required to be filed previous to the construction of underground conduits, and secure the correction and approval of the same by both the city engineer and the city council and a corresponding permit to proceed with the construction and erection in accordance with map, plans and specifications adopted, and all the requirements of section five hereof shall be strictly observed and shall apply to all such construction and repair work.

Passed July 5, 1904.

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### **SERVICE COMPANIES TO DESIGNATE OWNERSHIP OF POLES.**

AN ORDINANCE requiring all telegraph, telephone, electric lighting companies and all other persons or corporations using wires strung on poles to designate their ownership.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all telegraph companies, telephone companies, electric lighting companies and all other persons, companies or corporations within the city of Sioux City, excepting street railway companies, using poles on which to string wires, either for the purpose above designated, or for any other purpose whatsoever, shall, within the space of thirty days from and after the passage of this ordinance and its publication, attach to each pole upon which wires are strung, and owned by them, a tin or iron sign, giving the full name of the person, corporation or company owning such pole.



SEC. 2. Said sign shall be nailed firmly to each pole, not higher than seven feet from the ground, and shall read as follows: "This pole is the property of ..... " (adding the name of the owner of said pole) in letters not less than one-half inch in height.

SEC. 3. All persons, corporations or companies violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in a sum of not less than ten dollars or more than one hundred dollars for each offense.

SEC. 4. This ordinance shall be in full force and effect from and after its publication.

Passed April 4, 1893.

### REQUIRING CONNECTIONS FROM GAS, WATER AND HEATING PIPES AND SEWERS.

AN ORDINANCE to require the connection from gas, water, steam heating pipes and sewers to the curb line of adjacent property to be made before the permanent improvement of the street, highway, avenue, alley, public ground or place whereon such improvements are placed, to regulate and provide for the making thereof and for assessing the cost to the property in front of which they are made.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That whenever the city council shall order any street, highway, avenue, alley, public ground or place permanently improved by paving, graveling or macadamizing, it shall be the duty of owners of property fronting thereon to make the connections from gas, water, steam heating pipes and sewers to the curb line of the adjacent property before said improvement is made. In any case, where such connection is not made before such improvement is made, no permit shall be issued for the making of such connection within fifteen months after such improvement is completed and accepted, except upon payment of a fee of twenty-five dollars in addition to all other fees and charges, which fee shall be credited to the fund used for keeping improvements in repair.

SEC. 2. Whenever the council has ordered any street, highway, avenue, alley, public ground or place permanently improved by paving, macadamizing or graveling, and the city council shall deem it

necessary that the connection from gas, water, steam heating pipes or sewers should be made to the curb line of any adjacent property, they shall serve written notice on the owner of said property, either personally or by mail, or by posting on the property, to make said connections by a date fixed, which shall not be less than ten days after such notice is given, or to show cause in writing, filed with the city clerk within said time why such connection should not be made. At the expiration of the time fixed, the city council shall consider all objections so filed, and, if overruled, shall thereupon, by resolution, order the making of such connection as they shall deem necessary.

SEC. 3. When any such connections are ordered made, as herein provided, the city council shall cause the work to be done and the cost thereof shall be collected from the owner of the property where such connections are made, and assessed to such property as a special tax in the manner provided for collecting and assessing the cost of constructing sidewalks so far as applicable.

SEC. 4. All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

SEC. 5. This ordinance shall take effect from and after its passage and publication as provided by law.

Passed June 30, 1903.

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## EXCAVATING IN OR REMOVING PAVEMENT IN STREETS, ETC.

AN ORDINANCE providing the manner of excavating in or removing paving in streets, avenues and alleys and providing a penalty therefor.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all persons, firms or corporations, before excavating in or removing, or disturbing any paving of the streets of the city of Sioux City, Iowa, shall first obtain a permit so to do from the city engineer.

SEC. 2. No person, firm or corporation shall remove or disturb any paving nor do any excavating in the streets of the city of Sioux City, until said person, firm or corporation shall have filed a bond in the office of the city clerk in a penal sum of \$2,000.00 with two

or more sufficient sureties approved by the city council of the city of Sioux City, and shall have received a permit therefor from the city engineer. Said bond shall be conditioned as follows:

That said person, firm or corporation will in all respects, in doing such work, be governed strictly by the rules and regulations now in force relative thereto, or that may be hereafter adopted by the city council of the city of Sioux City governing such class of work;

And that said person, firm or corporation will pay to said city any and all damages it may sustain by reason of any violation of such rules or regulations, and for any negligence or want of due care in doing any of said work. Said bond shall also contain a provision requiring the principal and sureties thereon to repay to the city of Sioux City all costs of the repairing of said street or of repair and replacing said pavement.

SEC. 3. Any person, firm or corporation receiving a permit for the removal of pavement, shall pay to the city engineer a fee of five dollars (\$5.00) in addition to the cost of repairs; said fee and cost of repairs shall be paid upon the presentation of the bill by the city engineer. The basis for cost of repairs shall be two and one-half dollars (\$2.50) per square yard for asphalt and two dollars (\$2.00) per square yard for brick.

SEC. 4. All fees collected by the city engineer, under and by virtue of the foregoing section, shall be paid into the general fund of the city of Sioux City.

SEC. 5. The removal of the paving and the refilling of all trenches shall be done in the presence of the city engineer or his representative and according to the city specifications therefor. The pavement shall be replaced by the city and the cost thereof paid by the holder of the permit, under which the work is being done as provided in section 3.

SEC. 6. Penalty. Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) and shall stand committed until such fines and costs are paid.

Passed June 12, 1906.

**PROTECTION OF PAVEMENT.**

AN ORDINANCE providing for the protection of paved and macadamized streets and avenues in the city of Sioux City, and for that purpose to regulate the width of the tires of wagons, trucks, drays and other vehicles used for the transportation of heavy articles.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That on and after the first day of November, 1896, it shall be unlawful for any person, firm or corporation to transport, haul or convey any load, weight or burden upon or along any of the paved or macadamized streets, avenues or alleys within the city of Sioux City, upon any wagon or other wheeled vehicle not having a smooth tire upon the wheels thereof, and such tires shall not be less than the following widths for the following loads, in ton weights, including the weight of such wagon or vehicle, viz.:

For any load, weight or burden exceeding two and one-fourth tons, and not exceeding three tons, in weight (including the weight of such vehicle) the tires on the wheels thereof shall not be less than two and one-half inches in width.

For any load, weight or burden exceeding three tons, and not exceeding four tons, in weight (including the weight of such vehicle) the tires upon the wheels thereof shall not be less than three inches in width.

For any load, weight or burden exceeding four tons, and not exceeding five tons, in weight (including the weight of such vehicle) the tires upon the wheels shall be not less than three and one-half inches in width.

For any load, weight or burden exceeding five tons, and not exceeding six tons, in weight (including the weight of such vehicle) the tires upon the wheels thereof shall not be less than four inches in width.

For any load, weight or burden exceeding six tons, and not exceeding ten tons, in weight (including the weight of such vehicle) the tires upon the wheels thereof shall not be less than six inches in width.

SEC. 2. That it shall be unlawful for any person, firm or corporation to transport, haul or convey any load, weight or burden upon any wagon or other wheeled vehicle, over, upon or along any

paved or macadamized streets, avenues or alleys of the city of Sioux City, when the weight of such load or burden (including the weight of such wheeled vehicle) shall exceed ten tons in weight, unless such person, firm or corporation shall comply with the provisions of the next succeeding section of this ordinance.

SEC. 3. Any firm or corporation desiring to transport, haul or convey any load, weight or burden exceeding ten tons in weight upon any wagon, or other wheeled vehicle, over, upon or along any of the paved or macadamized streets, avenues or alleys of the said city of Sioux City, shall first make an application for a permit therefor to the mayor of said city, stating the nature, character and weight of such wagon or other wheeled vehicle, also naming in such application the paved or macadamized streets, avenues or alleys over which it is proposed to transport or haul the same, and agreeing in writing to be responsible for and to pay to the said city of Sioux City all damages that may occur to any such paved or macadamized street, or streets, avenues or alleys by reason of the transporting or hauling of such weight or burden over or upon the same and to also give a good and sufficient bond in an amount to be fixed and approved by the said mayor, for the payment of all such damages, if any, and for the faithful performance of all the terms and conditions of said agreement; provided also, that said application may be made to the city council of said city and said agreement and bond made subject to their order and approval, and if, in the opinion of such mayor, or of the city council, if such application is made to it, no permanent injury is likely to occur by reason of the transportation or hauling of such load, weight or burden over or along the paved or macadamized streets, avenues or alleys named in such application, he, or they, may grant a permit therefor.

SEC. 4. It shall be unlawful for any person, firm or corporation to transport, haul or convey, over, upon or along any of the paved or macadamized streets, avenues or alleys of the city of Sioux City, any steam engine, locomotive engine, traction engine, or other wheeled vehicle having cogs, spikes or other rough or metallic substance upon the outside of the rings, or tires of the wheels thereof, to prevent the slipping of the same, or for any other purpose whatsoever.

SEC. 5. That it shall be unlawful for any person, firm or corporation transporting or hauling any wagon or other wheeled vehicle in, along or upon any of the paved or macadamized streets, avenues

or alleys of the city of Sioux City to use, place or drag upon or under any of the wheels thereof, any chain, plate, block, brake, or other device coming in contact with or drag along and upon any of such streets or avenues of said city.

SEC. 6. That the city marshal, street commissioner and other city officers having police powers, are especially charged with the strict enforcement of this ordinance.

SEC. 7. That any person, persons, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars or imprisonment not exceeding thirty days, for each offense.

SEC. 8. This ordinance shall be in force and take effect from and after the date herein specified and only after its passage and publication as by law provided.

SEC. 9. All ordinances and parts of ordinances in any manner conflicting with this ordinance are, to the extent of such conflict, hereby repealed.

Passed September 29, 1896.

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### FOOD AND MILK INSPECTOR.

AN ORDINANCE establishing the office of food and milk inspector, defining his duties, and providing for the inspection of meats, fish, oysters, birds, fowls, live stock, vegetables, fruit, milk, ice cream, groceries and other provisions, and providing standards of purity of foods, and maintaining sanitary conditions of premises where food is sold or used, and in transportation of food, or milk, authorizing complaint to be entered for the violation of pure food laws.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That there is hereby created the office to be known as food and milk inspector of the city of Sioux City, Iowa, which shall be under the direction of the city health officers of Sioux City, Iowa, and subordinate to the state food and dairy commissioner, and the council may, after the taking effect of this ordinance, appoint a food and milk inspector to inspect meats, fish, oysters, birds, fowls, vegetables, fruit, milk, ice cream, groceries and other provisions designed for human food, sold or offered for sale in Sioux City, Iowa, and also inspect cattle and examine the sanitary conditions of barns,

stables and houses where cows or animals for food are housed, who shall hold his office until the first Monday in April, 1912, and until his successor in office shall be duly appointed and qualified, unless sooner removed from office by a majority vote of the council.

SEC. 2. On the first Monday in April, 1912, and every two years thereafter, the city council may, at the time of the appointment of other city officers, appoint a food and milk inspector, and assistants when necessary, who shall hold his or their offices until his or their successor or successors in office are duly appointed and qualified, unless sooner removed by a vote of the majority of the council.

SEC. 3. It shall be the duty of the food and milk inspector to inspect all live stock used as food animals, and cows producing milk; also to inspect meats, fish, oysters, birds, fowls, vegetables, fruit, milk, ice cream and other frozen products, groceries and other provisions produced or prepared in, or brought into the city of Sioux City, designed for human food, and held or exposed for sale for human food, within the city of Sioux City, in any public or private market, stall, shop, stand or other places, or by any vendor or street hawker or other individual.

SEC. 4. The food and milk inspector shall, before entering upon the duties of his office, file a bond, to be approved by the city council in the penal sum of two thousand dollars (\$2,000.00) containing like conditions of bonds required of regular policemen. He shall have full power to make arrests, and, within the line of his duties, be clothed with the same authority as a regular policeman.

SEC. 5. It shall be the duty of said inspector to visit at frequent intervals, each public and private market, stall, shop, store, warehouse or storehouse, hotel and restaurant, and also inspect carts, wagons, sleighs and vehicles of vendors or street hawkers and any place where meat, fish, oysters, birds, fowls, vegetables, fruit, milk, ice cream, groceries or other provisions are kept, held or offered for sale as human food, and examine and carefully inspect all said meats, fish, oysters, birds, fowls, vegetables, fruit, milk, ice cream, groceries or other food provisions, and if he shall discover any meat, fish, oysters, fruit, milk, ice cream, groceries or other food provisions, offered or held for sale within the city of Sioux City, that is unclean, or decayed, diseased, unwholesome, adulterated, or from any cause unfit for, or injurious to health as human food, to at once notify the person in charge, or in whose possession the same is found,

to immediately remove the same out of said city, or to such place in Sioux City as said inspector may designate, or to destroy the same if so directed by said inspector, and on failure to remove or destroy the same as so directed, such person shall be guilty of violating this ordinance. It shall also be his duty to enter complaint, or report to the state food and dairy commissioner, or to the city health officers of Sioux City, Iowa, violations of title XIV, chapter 10, of the code of Iowa, pure food law, whenever necessary to invoke state aid or authority for proceedings on the part of the county attorney, or other official, in order to suppress, or prevent, the manufacture or sale of adulterated foods, or secure the condemnation thereof, as provided in said pure food act, and to enforce the penalties under the state laws.

SEC. 6. Any frozen products made from standard or pure cream, having at least 15 per cent butter fat, sweetened and flavored, may be sold under the name of "ice cream," and require no label. All other frozen products containing cream of lesser per cent or milk and other ingredients than above stated, under whatever name offered for sale, must be labeled, and labels printed in legible type, no smaller than eight point heavy gothic caps, and shall give in continuous list, with no intervening matter of any kind, the true and correct names and per cent of all the constituents, and substances, of such frozen products, and the label shall also contain the name of the manufacturer, or dealer, and such label be placed on the outside of every package delivered to purchaser or consumer. It shall be the duty of said inspector to investigate whether ice cream, or frozen products, is manufactured and sold in violation of the pure food law, or this ordinance, and if any dealers do sell, or offer for sale, any ice cream or frozen products, under name of "ice cream," or other name, whether labeled or not, containing deleterious ingredients, on receiving information, and, after investigation, ascertaining such to be the case, the inspector shall file information before a justice of the peace having jurisdiction, against such manufacturer or dealer. Upon conviction, such manufacturer, or dealer, shall be subject to the penalty of a fine or imprisonment, or both, as the law provides.

SEC. 7. It shall be the duty of the inspector to investigate whether the owner or custodian of any live animals used for food or any live stock commission merchant, or any other individual, firm or corporation within the city of Sioux City, sells or offers for sale



any cattle suffering from, or afflicted with, "lumpy jaw" (astinoney casis) without being authorized by state food and milk inspector to dispose of same, or if any person or corporation offers for sale, or sells, any milk from diseased cows, and when any food live stock, or cow, afflicted with said disease or other injurious disease, is found within the limits of said city, it is hereby made the duty of the inspector of food and milk to cause same to be segregated by the owner thereof, until examined by a veterinary or state expert and when said inspector is certain of his diagnosis, that the animal is unfit for human food, to obtain legal authority to shoot or otherwise kill said animal, and have the carcass removed, and he is authorized to employ a veterinary surgeon to investigate suspected cases and act on his opinion in applying for authority to kill the animal, when such employment is considered necessary and approved by the superintendent of the department of the city under which he is assigned by the city council, and the expenses thereof to be paid by the city.

SEC. 9. It shall also be the duty of said inspector to personally inspect, and examine, into the sanitary condition of each public and private market, stall, shop, store, hotel, restaurant, warehouse, storehouse, cart, wagon, sleigh, or other vehicle, in or about which any such meat, fish, oysters, birds, fowls, vegetables, fruit, milk, ice cream, groceries or other food provisions are kept, held or offered for sale as human food, and investigate the condition of the same as to cleanliness, and wholesomeness, as a proper place or places for keeping such food for storage or sale, or dispensing same to customers.

In case said inspector shall find any such public or private market, stall, shop, storehouse, warehouse, hotel, restaurant, cart, wagon, sleigh, or other vehicle in an unclean or unwholesome or unsanitary condition, he shall notify the person in charge thereof for the time being, to clean and purify the same, so as to put the same in a clean, wholesome, and proper sanitary condition, within ten hours from the time of such notice, and it shall be the duty of such person in charge thereof to put the same in a clean, wholesome, and proper sanitary condition within such time, and thereafter maintain the same in a clean and sanitary manner, and a failure to do so will be a violation of this ordinance.

SEC. 10. That any and all persons in charge of any market, stall, shop, store, warehouse, storehouse, hotel, restaurant, cart, wagon,

sleigh, or other vehicle, shall allow said inspector to freely and fully inspect the rooms or places where are kept meats, fish, oysters, birds, fowls, vegetables, fruit, milk, ice cream, and other provisions provided or prepared for human food, and the sanitary conditions, and a refusal to allow same will be a violation of this ordinance.

SEC. 11. It shall also be the duty of the food and milk inspector to inspect at frequent intervals, the barns, stables, and buildings where-in cows are housed and cared for, and investigate the manner in which milking is conducted, and the sanitary conditions of such barns, stables, and buildings, and the precautions taken in milking to guard against deleterious substances getting into the milk, and require that the udders be washed or cleaned with a damp cloth before milking, and that cleanliness be observed in handling the milk, and that the milk shall not be allowed to remain in open receptacles any longer than necessary after milking, but be immediately bottled or put in closed cans, and that all cans, bottles or other receptacles containing milk, shall be clean, and tightly closed, and to test milk frequently by approved methods, and in case any one selling milk should refuse to comply with requirements for cleanliness and maintaining the purity of milk, or be found violating the state law or ordinances of the city of Sioux City, Iowa, as to the quality of milk, or sanitary conditions in handling same, the inspector shall file information before a justice of the peace, having jurisdiction, and appear as a witness on the hearing, and testify to the conditions.

SEC. 12. The food and milk inspector shall file a report in detail each month with city health officer, on the last business day of the month, stating all cases where he made examinations in the line of his duty, and where complaints were entered, and examinations made, with result of such examination, and if any violations of the pure food law were detected or discovered, with report of disposition of such cases, and number of examinations made of "lumpy jawed," or other diseased cattle, cows, or other food animals, and disposition of animals, and tests of milk with results of tests, with names, address, or place of business, of the milkmen and other dealers and report as to unsanitary conditions of barns, stables or other buildings, or in the handling of milk. A failure to make such report shall be sufficient cause for removal from office of the food and milk inspector neglecting to comply with this provision of this ordinance.

SEC. 13. Said inspector and each assistant shall receive as full

compensation for services, a salary to be fixed by the city council, payable monthly.

SEC. 14. Any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists any of the provisions of this ordinance; or who omits, neglects, or refuses to comply with any order of said inspector, or who resists said inspector in carrying out any of the requirements of this ordinance shall, upon conviction thereof, pay a fine of not more than one hundred dollars (\$100.00), and shall be imprisoned in the county jail until such fine be paid, not exceeding thirty (30) days.

SEC. 15. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

SEC. 16. This ordinance shall be in full force and effect from and after its passage and publication, as required by law.

Passed February 18, 1911.

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## PLUMBING RULES AND REGULATIONS.

AN ORDINANCE to prescribe rules and regulations for the construction, reconstruction, alteration and repair of plumbing and house drainage systems in buildings, or connecting buildings with sewers, water mains, and gas pipes, in the city of Sioux City, Iowa, and the issuance of permits therefor; to provide for the appointment of a plumbing inspector and defining his duties, and for the enforcement of such rules and regulations, and to prescribe penalties for a violation thereof.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. Any person desiring to engage in contract business of plumbing in the city of Sioux City, shall first make application to the department of public safety, of said city of Sioux City, on blanks furnished by said department, stating that he desires a license as a master plumber, or that he is engaged in, or desires to engage in the contract plumbing business, and employ licensed plumbers, presenting with such application a receipt from the city treasurer for fifty dollars (\$50.00), as plumbing contractor, authorized to employ licensed plumbers, or as a master plumber, and one dollar (\$1.00), as a journeyman plumber, if seeking employment or employed by a master plumber or contractor plumber, and shall pass

a satisfactory examination before the examining board provided for in section 2 hereof. Any applicant for license, except contractor plumbers, shall have served at least three years apprenticeship at the trade, and present an affidavit of some master or journeyman plumber, who is familiar with the facts. On passing a satisfactory examination as master or journeyman plumber, such applicant will receive a card of registry. All but one dollar (\$1.00), of the fee paid the city treasurer by a master or journeyman plumber will be refunded should he be found to be disqualified on any grounds.

SEC. 2. An examining board, or committee, consisting of the councilman at the head of the department of public safety, the city engineer, the plumbing inspector, one registered master plumber, and one registered journeyman plumber to be appointed by the plumbing inspector, and said councilman and city engineer, all of whom shall be residents of the city of Sioux City, Iowa, shall at stated times, and upon due notice, meet to consider applications of persons or firms to be registered as master plumber contractor or journeyman plumbers, and shall examine all applicants as to their qualifications to carry on and practice the trade or business of plumbing, and constructing drainage, sewer, soil or waste pipes, ventilation or connection therewith, in such a manner to safeguard and protect the public health, and the majority shall issue a license in a form approved by the department of public safety to each applicant found qualified to the satisfaction of said board. The master plumber and the journeyman plumber on said committee or examining board, shall be paid by the city, fifty (50) cents each, for applicant taking said examination.

SEC. 3. Before any such license shall be issued to a master plumber or to a plumbing contractor, he shall file with the city clerk a bond in the penal sum of two thousand dollars (\$2,000.00), in favor of the city of Sioux City, Iowa, with sureties to be approved by the city council, which bond shall be conditioned on the faithful performance of all duties required by ordinance, rule, or regulation of the city of Sioux City, Iowa. It shall be a further condition of said bond that the obligors will hold the city of Sioux City, Iowa, harmless from all damages sustained by reason of neglect or incompetence on the part of such master plumber or plumbing contractor in the performance of work done, or careless guarding of excavations made, or failure to put all streets or public places opened in as good condi-

tion as they were before such work was done, or by reason of any cause, growing out of the negligence or carelessness of such plumber or plumbing contractor, or the issuance of such license.

SEC. 3½. The fee so paid by any one found qualified, and so certified by the board, shall entitle the applicant to a license to engage in contract work or work at the business of plumbing in the city of Sioux City, for the fiscal year ending March 31st, after such examination.

The annual license fee thereafter shall be fifty dollars (\$50.00), a year for master plumbers, and plumbing contractors, and one dollar (\$1.00), a year for journeyman plumbers, to be paid to the city treasurer in advance.

SEC. 4. The city council may appoint a plumbing inspector to hold office until the first Monday in April, 1912, and each council after the city election, may thereafter at any regular session of the council, appoint a plumbing inspector to hold office during the term of the council. Such plumbing inspector shall in all matters have the authority of a police officer of the city of Sioux City, and shall perform such duties as the city council shall prescribe or require. He shall be charged with the enforcement of all rules, regulations, and orders of the board of health, relating to plumbing, sewers, house drainage, and ventilation, the inspection, examination, and approval or rejection of all plans for plumbing in new or old buildings under the direction of the board of health or city council. Such plumbing inspector shall receive a salary to be fixed by the city council and execute a bond to the city of Sioux City in the sum of two thousand dollars (\$2,000.00), with sureties to be approved by the city council. Such bond shall contain the usual conditions for the faithful performance of duty contained in official bonds. Such plumbing inspector shall not during his term of office, be interested directly or indirectly in any sewer or plumbing contract or work, or the profits thereof, in the city of Sioux City.

SEC. 5. It shall be the duty of said plumbing inspector to see that the construction and maintenance of the plumbing, draining and ventilation of all buildings in the city of Sioux City shall hereafter conform to and comply with the rules and regulations established by this ordinance, to pass upon all plans submitted, and to keep a daily record of his work, including all notices served, and applications received, permits granted, violations of these regulations, and all other

matters which may pertain thereto. He shall inspect all plumbing in course of construction in new or old buildings, and shall see that all plumbing work complies with this ordinance and the rules and regulations of the board of health. The plumbing inspector shall keep a record of all work done in new or old buildings, and of all work that has been condemned. He shall approve or reject plans within twenty-four hours when practicable, and under no circumstances delay over five days to do so.

SEC. 6. All plumbing work in process of construction, alteration, or repair, shall be under the supervision of the plumbing inspector, who is hereby empowered to stop such work when the same is being done contrary to the provisions of this ordinance.

SEC. 7. There are so many questions that come up in regard to renewing or changing pipes or fixtures in buildings, that there is no rule to cover them. The plumbing inspector will in these cases see that the work is done as he thinks best.

SEC. 8. The plumbing inspector shall have access to all buildings for the purpose of examining and carrying into effect all ordinances relating to health and ventilation.

SEC. 9. No person, firm or corporation shall begin work on the construction, reconstruction, alteration and repair of any plumbing or house drainage system, in any building in the city of Sioux City, except as provided in section 11 of this ordinance, without first obtaining a permit for the same from the department of public safety of said city of Sioux City; and said permit must at all times during the doing of such work, and until completion thereof, be posted in some accessible place in the building wherein such work is being done.

SEC. 10. Any person, firm, or corporation, desiring such permit must file with the superintendent of the department of public safety of said city, an application in writing for such permit, stating therein the street and house number, with the owner's name, the name of the plumbing contractor, and that such work is to be done in accordance with the ordinances of said city of Sioux City, and the rules and regulations of the local and state boards of health.

SEC. 11. Permits will not be required for the removal of stoppage in soil or waste pipes, or for replacing broken fixtures, provided such fixtures conform to the regulations contained in this ordinance, nor

for replacing tanks or faucets, or repairing leaks in waste pipes, or the repair or construction of water supply pipes or tanks.

SEC. 12. Permits Issued. Upon the approval of the application provided for in section 10 hereof, the superintendent of the department of public safety shall issue a permit in duplicate to the person, firm, or corporation, applying therefor, stating the name of the owner of the property, the name of the plumbing contractor, the street and house number, and specifically the work authorized to be done thereunder, which permit shall be issued without charge.

SEC. 13. Test. All plumbing work shall be subjected to either of the following tests, at the discretion of the plumber, subject to the approval of the plumbing inspector; by plugging all openings and filling with water to the highest point, or by a pressure of air of not less than fifteen (15) pounds to the square inch; such test to be made in the presence of the plumbing inspector, and it shall include all soil, waste and vent pipes, brass ferrules and soldering nipples in connection with the same, to the finished line or face of the floors or sidewalls.

SEC. 14. At the time of the acceptance of any "roughing in" work, the plumbing inspector shall stick, paste or tie upon the soil or waste pipe, in the basement, if there is any basement, and if none, on the plumbing in some conspicuous place, a notice in printing or writing, stating the date of acceptance of such work, the name of such inspector and his title, also the name of the plumbing firm, or person, or corporation, having such contract. All such notices must be of uniform size and make, and shall be furnished by the city of Sioux City.

SEC. 15. All Work Supervised. When a permit has been issued for plumbing work, the doing of such plumbing shall be done under the supervision of the plumbing inspector at all times until its completion, and such plumbing inspector may revoke said permit at any time when such work is not being done in accordance with this ordinance; and it will be unlawful for any person to proceed further with said work without the written consent of the superintendent of the department of public safety.

SEC. 16. When a permit has been given to do plumbing work, such work must be started within thirty (30) days from the date of the permit, and such work must be carried on and completed within

six (6) months after commencement of the work, otherwise such permit will become void and a new permit must be obtained.

SEC. 17. When a permit has been issued for plumbing work, in no case shall additional work be put in, or additional fixtures set, without the approval of the plumbing inspector, and a new permit must be taken out for all such additional work or fixtures.

SEC. 18. When the roughing work has been completed, and before any such work has been covered or in any way concealed from view or connected to the sewer, or any fixtures set, the said work must be subjected to a test, as hereinafter specified. When work has been tested and proved perfectly tight, the plumbing inspector shall be notified that such work is ready for inspection, and all work shall be left open and convenient for inspection two (2) full working days after such notification, unless such inspection is sooner made.

SEC. 19. The plumbing inspector shall inspect within two (2) working days after having been notified that such work is ready for inspection.

SEC. 20. Final Inspection. When the work covered by the permit is completed, the plumbing inspector must be notified that the work is ready for the final inspection, and the plumbing inspector may, at his discretion, require a final test of either smoke or peppermint, and no plumbing work shall be used until this inspection has been made, and a certificate of final approval has been attached to such plumbing work. Such certificate shall be in the form required for acceptance of "roughing in" work.

SEC. 21. All soil, waste and ventilation pipes, when placed in any building or construction, shall be cast iron, brass, lead or wrought iron pipe galvanized. No chimney, brick, or sheet metal pipe shall be used for any part of the plumbing or plumbing ventilation. Tapping holes in soil or waste pipes will not be allowed, and when necessary to disconnect pipes for the removal of stoppage, clean-outs must be inserted as hereinafter provided.

SEC. 22. All wrought iron pipes shall be of standard weight, well galvanized, butt or lapp weld, and all fittings for such pipes below the water line of fixtures shall be drainage fittings; fittings above the water line of fixtures may be galvanized fittings.

SEC. 23. All cast iron soil and waste pipes must be dipped in coal tar pitch while hot, so as to form a good, hard, uniform coating. All cast iron pipes must be sound and free from holes or cracks



(cracked hubs, pipes or fittings will not be accepted), and all soil pipes must be of the grade known in commerce as extra heavy. The following weights per lineal foot will be accepted as complying with this ordinance:

2 inch,	5.5 pounds per lineal foot.
3 inch,	9.5 pounds per lineal foot.
4 inch,	13 pounds per lineal foot.
5 inch,	17 pounds per lineal foot.
6 inch,	20 pounds per lineal foot.
7 inch,	27 pounds per lineal foot.
8 inch,	33.5 pounds per lineal foot.
10 inch,	45 pounds per lineal foot.
12 inch,	54 pounds per lineal foot.

All fittings used in connection with such pipes must correspond in weight and quality.

SEC. 24. Joints, How Made. Joints in cast iron pipe shall be made in oakum, well tamped, and pure lead, well calked, and no paint, varnish, putty or cement of any kind will be allowed.

All joints in wrought iron galvanized pipe, shall be screw joints. Joints in lead pipes must in all cases be wiped, and all wiped joints must be made in a workmanlike manner. Joints between lead and iron pipes must be made by means of cast brass soldering nipples, or extra heavy brass calking ferrules the full size of iron pipe.

SEC. 25. Change in Direction of Pipes. All lead pipes and straps shall be drawn, and as direct as possible; changes in direction of horizontal pipes shall be made with Y branches, or degree bends. Offsets shall be made with forty-five degree bends, or similar fittings. No one-quarter bends shall be used unless unavoidable, and shall be specially set forth in permit. All branches for waste must be made with Y branch or sanitary T fitting. No straight T branch will be permitted.

SEC. 26. Quality and Weight of Lead Pipe. All lead pipes, ferrules and traps shall be drawn, and of not less than the following weights per lineal foot:

1¼ inch,	3 pounds.
1½ inch,	4 pounds.
2 inch,	5 pounds.
3 inch,	6 pounds, 3 ounces.
4 inch,	8 pounds.

All bends and offsets in lead pipes must be made so as to leave full size openings, and care must be taken not to materially weaken any portion of the pipe in bending or working, and all lead pipes, when placed in position, must be properly supported to prevent sagging.

SEC. 27. Termination of Pipes at Roof. All main soil or waste pipes shall be carried full size to a height of at least ten inches above the main roof, except in case of roofs used for drying purposes; in all such cases they shall extend seven feet above the roofs, and be suitably braced. When within twenty-five feet of any opening in the same or in adjoining building, such main soil or waste pipe shall be carried up undiminished in size, but not less than four (4) inches in diameter, two feet above such opening, unless such pipe is provided with running trap and fresh air inlet. There shall be no cowell, ventilators or return bends put on the end of pipes above roof.

SEC. 28. All side branches of soil or waste pipes extending fifteen feet or more from main line must extend through roof, or revert into a main soil pipe.

SEC. 29. No fee will be required for a permit to make a connection with sewer, but all connections must be made in accordance with the ordinance governing the same, and if said connection is not sanitary, such work must be changed so as to conform with this ordinance. All sewers outside of buildings must be laid in ground of sufficient solidity for a proper foundation and in a trench with a uniform grade of not less than one-eighth inch to the foot, and one-fourth inch, if practicable.

Cylindrical terra cotta pipes or vitrified salt glazed pipes of standard weight, of best quality, free from flaws, splits or cracks, perfectly burned and well glazed over the entire surface, inside and outside, may be used outside the buildings.

All sewer pipes must be well cemented with good Portland cement all around the joint and well fitted together, the dirt being well tamped around the pipe and cement mortar thoroughly wiped out with a swab after laying, so as to prevent any rough surface inside the pipe. Terra cotta pipes or vitrified pipes will be permitted within five feet of wall or foundation. All change of direction must be made with "Y's" or one-eighth bends. All rainwater conductors, in the fire limits, are to be connected with storm sewer, and in no case is roofwater to be discharged onto sidewalk. In no case will terra

cotta pipes or vitrified pipes be allowed to connect with down spouting or rainwater conductors, which shall be connected with cast iron pipe one foot above ground and extending five feet from building, before connecting with terra cotta or vitrified pipes.

SEC. 30. The drainage of all buildings, public or private, and the alterations of the same, shall be executed in accordance with the laws and rules of the plumbing ordinance of the city of Sioux City. Before any master plumber may obtain permit to start any work, new or old, the plumber shall make a good plan on blanks furnished by the plumbing inspector, and furnish a plan of such work to the plumbing inspector. If such plumber, or contractor shall refuse to furnish such plans of plumbing or drainage work, he shall receive no permit, and if he undertakes any contract work without permit, he shall forfeit his license, and shall not be allowed to do any further work in connection with sewers, drainage or plumbing in the city of Sioux City.

SEC. 31. The main drain of every house or building shall be separately and independently connected to the sewer where the sewer is in front of said building, and where it is necessary to construct a private sewer to connect with a sewer in an adjacent street, such sewer plans may be used as shall be approved by the city engineer. When it is desired to connect two or more buildings with one branch sewer, the person desiring to do so shall first obtain permission from the city engineer or council. Such applicant shall file a plan of such sewer with the plumbing inspector, who shall submit the same to the city engineer for consideration in connection with such application. After drawings have been furnished as herein provided, no changes in the plans shall be made without the permission from the city engineer. Also an easement shall be taken out and be filed by the applicant with the city clerk and the county recorder, when crossing private property.

SEC. 32. Size of Soil Pipe. When fifteen or more water closets discharge into a line of soil pipe, said soil pipe shall not be less than six inches in diameter; in all cases, the soil pipe receiving the discharge from a water closet shall not be less than four (4) inches in diameter.

SEC. 33. Size of Waste Pipes. Waste pipes receiving the discharge from eight fixtures shall not be less than three inches in diameter; those receiving the discharge of from three to seven fixtures

shall not be less than two inches in diameter, and those receiving the discharge from less than three fixtures shall not be less than one and one-half inches in diameter, except in case of wash basins or pantry sinks.

Two wash basins or pantry sinks may be connected to a one and one-fourth-inch waste pipe; three wash basins may be connected to a one and one-half-inch waste pipe; and not more than ten wash basins may be connected into a two-inch waste pipe, and the main vertical waste pipe must be increased one size in diameter for every twenty additional basins; iron pipe shall not be used for waste pipe, unless it be well galvanized.

SEC. 34. All soil, ventilation or drainage pipes and fittings from a point five feet outside of cellar or foundation wall shall be of c. h. cast iron soil pipe. The main soil pipe shall not be less than four inches in diameter, and shall have a four-inch "T" left at front wall, or where it passes out through the foundation wall for the purpose of applying the smoke test to the system; if the owner so desires, same shall be used for clean-out. At the foot or bottom of every vertical line of soil pipe there shall be provided a "Y" and one-eighth bend, with a brass clean-out plug in end of "Y," and every line of soil pipe shall be securely fastened in place by means of a pipe rest on the first floor and a pipe rest for every ten feet of soil pipe. Said soil pipe shall also be properly hooked to position and put up in good workmanlike manner. All changes in direction must be made by means of a "Y" branch and one-eighth or one-sixteenth bends. Sanitary "T's" may be used where branch for a closet is left in a vertical stack of soil pipe. One-fourth iron bends may be used in cellars or basements where it is necessary to connect under a water closet. Also at the end of each horizontal line, and at each junction there shall be a clean-out connection, the same diameter as of the pipe into which it is inserted. Said clean-out connection must be so connected as to be exposed to plain view and shall not be in any way confined. No double hub fitting will be allowed to be used below the waste line of fixtures.

SEC. 35. In all cases where no continuous vent is used, every trap shall be ventilated not more than four inches from the water line by a special air pipe (except traps in water closet bowls set within fifteen feet of the main stack, floor traps for floor drains, rain leader traps, four by eight drum traps, the waste of which does not

exceed five feet in length from trap to its connection with a continuous or revent, and four by eight drum traps the waste of which opens into an open fixture, trapped basin or floor drain, where such waste pipes have free air passage between the end of such waste pipe and the fixture or basin receiving such waste). All vent pipes shall be either galvanized wrought iron pipe, cast iron, brass or lead pipe. All cast iron pipe must be coated with coal tar pitch as specified in section 23 of this ordinance, and free from all defects. No vent pipe shall be laid with a grade of less than one-fourth of an inch to the running foot. Vent pipes, before connecting with other vent pipes, must be carried up one foot above the highest water line of fixtures, so that the vent pipe cannot act as a waste pipe. No rubber couplings shall be used to connect vent pipes, nor shall soldering unions, slip joints in concealed work, or joints made with soldering iron, be used to connect waste or vent pipes. No iron pipe will be allowed below the water line or any plumbing fixture, but such vent pipe must be lead pipe from trap to above water line of fixture vented.

SEC. 36. The size of vent pipes shall not be less than that of the traps they serve, except as provided in this section. A two-inch pipe, not to exceed twenty-five feet in length, may be used to ventilate the traps of an ordinary set of house fixtures, to-wit: One wash basin, one bath tub, one sink, and one set of wash tubs, and, in case of flats arranged one above the other, the vertical vent pipe must be increased one-half inch in diameter for every succeeding set of fixtures, until it becomes as large as the main soil pipe. In hotels, factories and other buildings where groups of slop sinks are used, not more than three slop sink traps may be ventilated into a two-inch pipe, and the vertical vent pipe must be increased one-half inch for every six succeeding slop sinks or fraction thereof (or their equivalent of other fixtures, as stated in any section of this ordinance), until it becomes as large as the main soil pipe. In case of bath tubs, sinks, wash traps, and wash basins, the vent pipes from traps may be combined as stated in section 35, to-wit, one foot above water line, and in the following proportion:

Three two-inch traps vented into two-inch pipe not to exceed thirty-five feet long.

Two one and one-half-inch traps vented into one and one-half-inch pipe not to exceed thirty-five feet long.

Six one and one-half-inch traps vented into two-inch pipe not to exceed thirty-five feet long.

Two one and one-fourth-inch pipes vented into one and one-fourth-inch pipe not to exceed thirty-five feet long.

Three one and one-fourth-inch traps vented into one and one-half-inch pipe not to exceed thirty-five feet long.

And not more than ten one and one-fourth-inch traps may be ventilated into two two-inch pipes.

Water closets more than fifteen feet from main stack shall be vented into a pipe not less than two inches in diameter.

Every sink, basin, bath, water closet, urinal, and each set of wash tubs, or other fixtures, shall be separately and effectively trapped. The trap shall be set as near as practicable to the fixture it serves. No fixture shall be set unless supplied with sufficient water to properly flush it. Grease traps inside of buildings shall be made of lead, cast iron or brass, having an air-tight screw cover, of at least four inches in diameter, and the discharge from any fixture must not pass through more than one trap, except that such discharge from one or more separately trapped fixtures may pass through running trap, if any, in main soil pipe. In bath rooms there must be placed one 4x4x2 sanitary "T" or "Y" to connect bath tubs, basins or sinks, each waste pipe or fixture, shall run separately to the one two-inch inlet. No waste pipes to connect the closet bend. All waste pipes from fixtures except water closets where they connect with soil or waste pipes, said connection shall not be smaller than two inches.

SEC. 37. All yard, cellar, area, and basement drains shall be at least two inches in diameter. When cellar, basement, or area drains are connected to sewer, they must be properly trapped, with deep seal trap placed beneath.

SEC. 38. In all cases where a building is used as a hotel, tenement, boarding house, or restaurant, the owner or occupant shall provide a properly constructed grease trap, through which all slops of a greasy nature shall pass, and the plumbing inspector shall have authority, and he is hereby authorized to direct and compel any person, firm, or corporation to provide and use a grease trap as aforesaid, when, in his judgment, the same is necessary.

SEC. 39. All drip or overflow pipes from under plumbing fixtures or tanks shall run to the cellar or discharge outside of buildings

or at some conspicuous point, and in no case shall such pipe connect with any soil, waste or vent pipe.

SEC. 40. Traps and branch waste pipes shall not be less than the following sizes:

For one basin or pantry sink, one and one-fourth inches.

For slop sink, two inches.

For kitchen sink, one and one-half inches.

For bath tub, one and one-half-inch waste pipe, with four by eight-inch drum, trap to have four inch clean-out screw above floor, or a one and one-half-inch brass trap may be used, if set above floor and ventilated.

For urinals, one and one-half inches.

For laundry tubs, one and one-half inches.

For water closets, four inches.

SEC. 41. In no case shall the waste pipes from a refrigerator or other receptacle, where food is kept, be connected direct to sewer, soil, or waste pipe. It may be discharged over basement drain, open sink, or be carried outside of building.

SEC. 42. No privy vault, sewer vault or cess pool shall be constructed within one hundred and fifty feet of a public sewer, nor shall any person connect a sewer to a privy vault or sewer vault, or empty the contents of a privy vault or sewer vault into a sewer, nor shall any house drainage be connected with a privy vault or sewer vault.

SEC. 43. Every water closet shall be supplied from a separate tank or cistern, except closets in out houses, and shall be so arranged as to deliver at least four gallons of water at each flushing, and shall have a flush pipe of not less than one and one-quarter inches in diameter. Cistern valves shall be fitted and adjusted so as to prevent waste of water.

SEC. 44. Pan or plug closets, and dry closets in inhabited buildings, or any closet having any mechanism in connection with the bowl forming a mechanical seal, are prohibited. Water closets must never be placed in an unventilated room but must be open to the outer air by means of a window or air shaft, and in no case shall air duct, which serves water closets, open into living or sleeping rooms. Water closets having traps set beneath the floor will only be permitted in outhouses.

SEC. 45. All earthenware and iron water closets, having traps above floor, using lead connections to soil pipe, shall have a cast brass

floor flange, not less than one-eighth of an inch thick, soldered to lead and bolted to trap of closet, the joint being made air tight with rubber gasket.

SEC. 46. Enclosing water closets, bath tubs or sinks, with wooden casing, will not be permitted.

SEC. 47. Every factory, workshop or other place, where persons are employed, must be provided with suitable closet accommodations for either sex. Theaters, public halls, and railway and street depots, must be provided with closets for the convenience of their patrons, the number of such closets to be such as may be prescribed by the board of health.

SEC. 48. When urinals are placed in any public buildings, the floors, sides and partitions must be covered with either marble, slate, extra heavy glass, or heavy sheet lead (not less than four pounds to the square foot), with tightly soldered seams, or cast iron enameled. Floor drains shall have combination of back water valve trap of at least two inches in diameter. Traps to be supplied with water drip, and no galvanized sheet iron or other sheet metal through urinal will be permitted in any building, public or private.

SEC. 49. Water closets, unless they are properly locally ventilated, shall never be placed in unventilated room or compartment. An exterior window, that can be opened, will be considered sufficient.

SEC. 50. Waste from fixtures in houses, situated on unsewered streets, shall be connected to cesspools, and such cesspools shall not be located within twenty-five feet of any inhabited building or public sidewalk. When any dwelling, building or construction becomes within one hundred and fifty feet of any accessible sewer, cesspools shall be cleaned out and filled with clean earth and connections made to sewer; and no catch basin will be allowed inside or under any building.

SEC. 51. All sewer pipes in yards shall be of the best quality of vitrified earthenware pipe, with properly cemented joints, and the same shall not be laid nearer than five feet to any exterior wall, nor less than one and one-half feet below the surface of the ground; nor will they be allowed in bad or made ground. In all such cases sewers shall be of extra heavy cast iron. All soil or waste pipes within the building shall be supported by substantial piers, or properly secured to the wall, or suspended to floor timbers by strong iron hangers. In



no case shall stone or vitrified earthenware sewers be laid under or in any building or buildings, and any such sewers now laid that may become defective or dangerous to public health, shall be removed and replaced with extra heavy cast iron. All sewer, soil or waste pipes shall have not less than one-eighth inch fall or grade to each lineal foot.

SEC. 52. Floor washers must be connected to drainage pipe by means of a deep seal trap, having a heavy strainer and a back water valve.

SEC. 53. All traps must be placed as near the fixture as practicable. When a trap of any fixture, except closets, is set more than two feet, six inches from the vertical line of pipe, a return connection from crown of trap must in all cases be provided.

All connection between lead and iron pipes shall be made with a brass ferrule, and the ferrule shall be connected to lead pipe by means of a wipe solder joint. All four-inch bends shall be connected by a ferrule and a wipe solder joint, or a cast iron sleeve.

There shall be clean-outs put in the sewer at each end of each horizontal line, and at the foot of each vertical line of soil or waste pipe, and at the place where sewer enters exterior basement wall. All clean-outs shall be closed by brass covers, and shall be kept accessible when sewers are laid beneath the floor. Manholes must be constructed to give access to clean-outs or clean-outs be brought to the surface of the floor by an extension of pipe with "Y" branch and one-eighth bend.

SEC. 54. Rainwater leaders shall never be used as soil or waste or vent pipes, nor shall soil or waste or vent pipes be used as rainwater leaders. When the rainwater leader is within the building, or in the air, or light shaft within the outside wall of the building, and connects with the sewer, it shall be of extra heavy cast iron or galvanized wrought iron pipe, and all joints screwed together or properly calked with oakum and lead; and in every case where rainwater leaders open within fifteen (15) feet of any window, door, or light shaft, they shall be trapped. Outside sheet metal rainwater leaders, when connected to sewer, must be trapped before connecting to sewer.

SEC. 55. No high pressure steam exhaust or blow-off pipe shall be connected with any private drain or sewer which is connected with any public drain or sewer. Such pipes shall discharge into a tank or

condenser or properly constructed cesspool with iron cover, approved by the plumbing inspector.

SEC. 56. For making connections with sewer for condensed water a sanitary "T" shall be provided, if within any building.

SEC. 57. That any person, firm, or corporation, doing plumbing in the city of Sioux City, shall, when work has been prepared for inspection, as provided in section 18 and section 20 of this ordinance, notify the plumbing inspector, by notices provided for that purpose, that inspection is required, giving location of premises and time that work will be ready for inspection, and if, upon inspection, the plumbing inspector finds the work not in accordance with the provisions of this ordinance, he shall notify the plumber doing the work and also the owner of the premises, by posting written notice upon the premises, and such posted notice shall be an ~~and~~ notice required to be given of the defects in the work found upon such inspection.

SEC. 58. There shall be charged for the inspection of plumbing work done under this ordinance, \$1.00 for the first plumbing fixture or opening left in the work for such fixtures to be attached thereto, and fifty cents for each fixture or opening thereafter up to and including six fixtures or openings, and thereafter twenty-five cents for each and every additional fixture or opening (except plumbing work that has been ordered remodeled or reconstructed, by notice signed by the plumbing inspector); provided, that where the inspection fees have been paid for openings left in any plumbing work, no additional fee shall be charged when the fixtures are set, but a new permit must be secured as provided in section 17 hereof. But if, by reason of non-compliance with the provisions of this ordinance, or any of them, or through the use of defective material, a subsequent inspection becomes necessary, the person, firm, or corporation doing the plumbing within said premises first inspected, shall notify the plumbing inspector in writing that another inspection is required, according to the provisions in section 57 hereof, and for such inspection a charge of two dollars (\$2.00), shall be made. No permit shall be issued to any plumber who is delinquent in the payment of any such charges. All such fees shall be paid to the city treasurer, who shall issue his receipt therefor, and such receipt must be presented to the plumbing inspector before any permits are issued to the person, firm, or corporation applying therefor.

All work being done under one contract and ready for inspection

at the same time shall be taken as one job for the purpose of basing the charge for inspection.

SEC. 59. The word "fixture," as used in this ordinance, shall be construed to include water closets, urinals, bath tubs, kitchen and pantry sinks, and sinks for other purposes, laundry tubs, lavatory and wash basins, and shower baths when not placed over bath tubs.

SEC. 60. In the reconstruction, alteration or repair of plumbing or house drainage systems any and all old plumbing fixtures that are not removed from the wall or position may be connected with new trap, waste and soil, without the payment of fees required by section 58 of this ordinance.

SEC. 61. No person shall place in any building any whirlpool, plunger, pan or washout closet, and when such closets are removed for repairs they shall not be replaced.

SEC. 62. Supply pipes connecting the house with water main in the street shall be of extra heavy lead pipe from the main to the curb line, except that by special permission of the superintendent of water works, galvanized or cast iron pipe may be used.

All licensed plumbers shall be held responsible for the acts of their agents or employes done under and by virtue of his or their license. All licenses shall expire on the 31st day of March of each year, but new license shall be issued without further examination; the purpose and intent being that only one examination shall be required of the same person. Any change of firm name or location must be promptly reported to the department of public safety. The license shall be posted in a conspicuous place in the office, store or place of business of the licensee. When two or more persons are co-partners the license may be issued in the name of the firm or co-partnership. No license shall be transferable. Any defective work must be changed to conform to the requirements of this ordinance, and if on due notice from the board of health or plumbing inspector such changes are not made, the board of health shall proceed to make them and shall recover the cost thereof from the delinquent plumber or his bondsmen.

SEC. 63. That any person, firm, or corporation guilty of violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum, not exceeding one hundred dollars (\$100.00), or be imprisoned in the city jail not to exceed thirty (30) days. Each

day of the continuance of such violation shall constitute a separate and distinct offense.

SEC. 64. That all ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, that such repeal shall not in any way affect any act heretofore committed in violation of such ordinance repealed, or any proceedings now pending thereunder, but all such offenses heretofore committed against the provisions of such ordinances, or any of them, may be prosecuted and punished the same as if said ordinances were in full force and effect.

SEC. 65. This ordinance shall take effect and be in force from and after its passage and publication as required by law.

Passed February 4, 1911.

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### INSPECTION OF GAS.

AN ORDINANCE fixing a standard purity and quality of gas manufactured, sold or distributed within the city of Sioux City, Iowa, and providing for the inspection of gas and gas meters and the testing of the candle power and heating qualities of the gas distributed, and of the meters measuring the gas, prescribing rules and regulations for the pressure, manufacture, measurement, quality and distribution of gas supplied to consumers, and for the enforcement thereof, and prescribing penalties for the violation of such rules and regulations, and providing for the city engineer to have charge of the inspection and to appoint, with the consent of the city council, competent assistants with power to perform the duties required by the city engineer.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all persons, firms, corporations, or individuals manufacturing, selling or distributing gas within the city of Sioux City, Iowa, shall comply with each and all the provisions of this ordinance, and are hereby prohibited from manufacturing, selling or distributing any gas within the city of Sioux City in violation of any of the provisions of this ordinance.

SEC. 2 Definitions. That in this ordinance and the various sections and parts thereof, the word "streets" shall include avenues, alleys, public squares, parks and parkways within the limits of the said city.

SEC. 3. Impurities in Gas. That, tested as provided herein, the gas supplied by all persons, firms, corporations or individuals, shall not at any time contain more than four (4) grains of ammonia in any one hundred (100) cubic feet thereof; nor shall the gas so tested, at any time between the first day in April and the first day of October in any year, contain more than twenty (20) grains of total sulphur in any one hundred (100) cubic feet of the same, or at any other time more than thirty (30) grains of sulphur in any one hundred (100) cubic feet thereof. And all gas supplied by persons, firms, corporations or individuals shall at all times contain not more than a trace of sulphuretted hydrogen, as determined by the particular test herein specified.

That the engineer shall test the gas supplied by all persons, firms, corporations, or individuals manufacturing, selling or distributing gas within the city of Sioux City, Iowa, to determine the quantity of total sulphur and ammonia therein at least once in each week, and to determine the presence of sulphuretted hydrogen therein on each one of at least twenty (20) days of each calendar month, using for that purpose in each instance, the test prescribed therefor in the latest notification of the Gas Referees, covering Metropolis Gas, London, England, or other test, which as applied to the total sulphur and ammonia will give accurate results. And whenever and as often as the test prescribed for sulphuretted hydrogen shall show the presence thereof in the gas, or the test prescribed for the total sulphur and ammonia respectively, shall show the presence thereof in excess of the quantity herein prescribed, he shall as to each test wherein the gas fails to comply with the requirements hereof make a like test on each and every day thereafter (except on Sundays and holidays) until the test shall show that the gas complies, in the particulars involved therein, with the requirements of this section.

SEC. 4. Candle Power of Gas. That the gas supplied by all persons, firms, corporations or individuals, manufacturing, selling or distributing gas within the city of Sioux City, Iowa, and tested as provided in this section, shall be of good quality and of not less than 21 candle power at the city hall station; that is of such quality that the gas when burned at the rate of five cubic feet per hour, under standard conditions of temperature and barometric pressure, in any ordinary lava tip or open flame burner in common use, giving the full candle of the gas, shall give a light as measured by the standard

photometer in common use, of not less than 21 standard candle power at city hall station, nor less than 18 candle power at outlying stations beyond a radius of two miles from the gas works, it being understood that a standard candle is the unit of light prescribed and maintained by the United States bureau of standards, known as the international candle, which is equal to one Pentane candle, one Boughie decimal, one American candle, 1.11 Hefner units, or 0.104 Carcel units, and gas for testing purposes furnished free of charge.

That the city engineer, or his assistants shall test the candle power of the gas upon at least twenty (20) separate days of each month. In the making of such tests he may use Pentane lamps, previously standardized by the United States bureau of standards or such other suitable burner or apparatus agreed upon between the city engineer and the persons, firms, corporations or individuals manufacturing, selling or distributing gas within the city of Sioux City, Iowa, as will measure the correct candle power of the gas, as herein defined.

That the city engineer shall make two (2) separate and distinct tests on each day when tests are made to determine such candle power, at an interval of not less than four (4) hours at the city hall station or testing stations, and the average of the tests so made shall be deemed to represent the candle power of the gas on the day of such tests.

SEC. 5. Heating Power of Gas. That the gas supplied by all persons, firms, corporations or individuals, tested at the city hall station, or testing stations as provided herein, shall give a daily average gross heating value of not less than six hundred (600) British thermal units per cubic foot of gas.

That the gas shall be tested for the purpose of determining its heating value twice each day, at an interval of not less than four (4) hours, upon at least twenty days during each month at the city hall station or testing stations.

That the average of each of the two tests at the city hall station, or the testing stations (hereinafter called the daily average at the station), shall be deemed to represent the gross heating value of the gas on the day of such tests; and that the daily average so ascertained, for each and every day of the month upon which said tests have been made, shall be again averaged and the result (hereinafter called the monthly average at the stations) shall be deemed to repre-

sent the gross heating value of the gas during the then current calendar month.

That the city engineer shall, after the computation of any monthly or daily average of the heating value of gas, so ascertained, forthwith, and within twenty-four (24) hours, deliver a statement thereof at the company's office, so that they may know the averages thus obtained, and also file a statement of such monthly average in the office of the city clerk.

SEC. 6. The city engineer is empowered and authorized to inspect and have the charge of the inspection of gas, gas meters, and to ascertain the purity, quality and pressure of gas furnished to consumers in Sioux City and whether correctly measured and metered.

SEC. 7. Deputies and Assistants. That the city engineer may, by and with the consent and approval of the city council, employ one or more inspectors of gas, electric, water and steam heat, each of whom shall be competent to make any and all kind of tests herein provided for, which he shall be required and directed to make. Each said inspector so appointed shall have the power, under the direction of the city engineer, to perform any duty which he shall be competent to perform and which the city engineer is herein or hereby required to do.

SEC. 8. For the purpose of making tests of gas, rooms shall be provided and fitted up, and all persons, firms, corporations or individuals manufacturing, selling or distributing gas within the city of Sioux City, Iowa, shall conduct gas from their mains leading from each of their holders, to the rooms so fitted for the purpose of testing gas, by such pipes as the engineer may direct, for all tests required by this ordinance, or if this be not done by the persons, firms, corporations or individuals manufacturing, selling or distributing gas within the city of Sioux City, Iowa, the engineer is authorized to put in the service himself at the cost of such persons, firms, corporations or individuals, and each pipe so run to any testing station shall be free from any gas cocks, or other obstructions, which might interfere with, or in any way affect the proper flow or quality of gas. And the city engineer shall also make such tests at such other and different places throughout the city as he may deem proper and necessary to test the purity and quality of gas being supplied to all persons of the said city. For the purpose of making tests and inspections herein required, the city engineer and assistants shall have ac-

cess to the gas works, and have the right to make such connections with all gas mains of said persons, firms, corporations or individuals as may be necessary for the purpose of properly making the tests herein provided for.

For all purposes and for any suit in court where the provisions of this ordinance or the purity or quality of gas provided for therein or correctness of meters may be material or involved, whether on account of violations of the provisions of this ordinance, or otherwise, all tests made by the city engineer or assistants, in official capacity, of gas furnished to consumers by persons, firms, corporations or individuals, when certified to or supported by the oath of said engineer, or assistants, shall be deemed and accepted as *prima facie* correct. And all instruments used by the city engineer, or assistants, in making such tests, where such gas tests are made, shall for all said purposes be deemed and held to be correct.

That until the city shall provide, maintain and equip testing stations as herein provided, all tests of candle power and heat shall be made at the testing station located at the city hall (herein called the city hall station). Until such time the provision as to the averages of separate stations shall be disregarded, and the test and the average of tests as made at the city hall station, as to all matters except pressure, shall be considered the tests and the average of the tests to be made at said testing stations so to be provided, maintained and equipped.

That in case of any dispute between the city or its engineer on one side, and the persons, firms, corporations or individuals, on the other, as to the methods of apparatus employed in the testing of the pressure, purity, candle power, or heating value of the gas supplied by the persons, firms, corporations or individuals, the latest notification of the gas referees covering Metropolis Gas, London, England, at the time obtainable, when not inconsistent with the express provisions of this ordinance, shall prevail and be conclusive as to such matters upon all concerned. And if any technical matter arises and be in dispute, not covered by this ordinance, or by such notification, an arbitration board, as between the city and the person, firm, corporation or individual may be provided upon the demand of either the person, firm, corporation or individual or the city as follows: The city shall select one expert and the interested parties another; these two selecting a third to be jointly paid by the city and the



interested parties; and the decision of these three, or a majority of them, upon the matter so in dispute, shall be final and conclusive, as to such technical matter, for the period of one year thereafter.

SEC. 9. Maps, Cards, Catalogues and Blue Prints. That a copy of maps, cards, catalogues and blue prints of same, of all its existing systems of mains and service connections, in use by any persons, firms, corporations or individuals in the business of manufacturing and distributing gas, shall be furnished to the city engineer, and additions or changes, when made, so that at the end of each year will correspond with the said maps as the same shall from time to time be added to and enlarged, and prepare and deliver to the city engineer a true and correct copy of all its card catalogues giving every detail, the measurements and location of all its services and mains, which shall at all times be kept up to date for the use of the city engineer, and be placed and kept in his office as a part of the record and files belonging thereto.

SEC. 10. Laying of Mains and Services. That the persons, firm, corporation or individual selling or distributing gas in the city of Sioux City, Iowa, shall at the request of any person about to become a consumer of gas, in front of or at the side of whose premises a main shall exist, without cost to him, connect such main to said premises by the usual service connection. That such persons, firm, corporation or individuals shall also upon the order of the city council, free from all cost to the city or its citizens, extend its mains in such streets as may be designated, which shall have been previously graded, and in such streets, though ungraded, where the grade shall have been established, and the contour of the ground on an average, figured along the entire length of the proposed extension and over the full width of the roadway shall not be more than six inches above or below the established grade. Provided that in every such case at least either one consumer on an average for every one hundred and thirty-three (133) feet of the extension ordered, shall first in writing agree to take gas from the person, firm, corporation or individual for a period of not less than one (1) year at the then established rates, or that the estimated annual sales of gas derived from the extension ordered will yield at least twenty (20) per cent of the total cost thereof. And provided also that such person, firm, corporation or individual, after obtaining proper permits and locations therefor, from the city engineer, enlarge, replace, extend or

improve its system of mains or services in excess of the above mentioned requirements to such extent as it shall deem necessary for the improvement or expansion of its business, or the regulation of gas pressure.

That the location of new mains in the street shall conform as nearly as may be to the existing system of the persons, corporations, firms or individuals, selling or distributing gas in Sioux City, Iowa, and shall in all cases be established by the city engineer, without whose duly signed permit, designating the location, no main or house connection shall be laid. And all mains hereafter laid or replaced by the persons, firms, corporation or individuals shall be cast iron mains; and that all trunk mains hereafter laid or replaced by the persons, firms, corporations or individuals, shall be cast iron mains and not less than six inches (6 in.) inside diameter, unless the city engineer, after a careful examination in each instance, and for a special reason deemed by him to be sufficient, grant a special permit for a smaller size or wrought iron main, or for a steel main, more than thirty (30) inches in diameter. And such persons, firms, corporations or individuals shall also, so far as practical, place all gas mains installed or inlaid, all services therefrom, and all services from existing mains, at such depths below the surface of the ground as will prevent any deterioration from frost or cold in the quality or flowage of the gas supplied therefrom. That if at any time it shall be necessary to change the position of any main or service of the said person, firm, corporation or individual, to permit the city to lay, make or change street grades, pavements, sewers, water mains or other city structures, or city work of any kind, such changes in mains or services shall be made by the said persons, firms, corporations or individuals at their own expense according to the instruction of the city engineer; that reasonable notice be given to the persons, corporations, firms or individuals interested, and no damage be done to the mains.

That all digging of ditches, laying of mains or other operations required for gas distribution shall be done at the risk of the said person, firm, corporation or individual who shall assume the entire risk of all accidents and hold the city harmless from all cost and damage occasioned thereby; and it shall, if so directed by the city council, file such bond as may be required to indemnify the city against all damages or other suits resulting therefrom. That before the person, firm, corporation or individual shall interfere with, re-

move or alter any pavement, sewer, sewer inlet, or any other city structure, it shall comply with city ordinances as to the obtaining of permits for cutting pavement and replacing same. And the said person, firm, corporation or individual shall also, when directed by the city engineer, replace all material excavated from the streets in the laying of its mains or connections in such manner as he shall direct; and shall also, if so directed by the city engineer, during the time intervening between its removal and replacing of street paving of a permanent nature, temporarily plank the space from which the paving has been removed, in such manner as to insure a reasonably smooth surface across or along the same.

SEC. 11. Meters and Meter Testing. That the person, firm, corporation or individual, selling or distributing gas in Sioux City, Iowa, shall, upon the request of any consumer not in arrears with respect to the payment of any gas bill due to such person, firm, corporation or individual, install for his use a prepayment meter, otherwise called a "quarter meter," of not more than twenty light capacity, in lieu of the meter in common use which is read monthly; and whenever any such prepayment meter is removed, the consumer shall be refunded such part of any deposit therein previously made, which shall not have been exhausted.

That when a consumer shall make a complaint concerning the accuracy of any meter and pay one dollar (\$1.00) for testing, the engineer shall give notice of such complaint to the said person, firm, corporation or individual who shall thereupon, in the presence of the city engineer, or his assistants, at such time as he shall designate, remove such meter from the premises of the consumer to the meter inspection room, and shall also at the same time install, in place of the one so removed, another meter duly tested, proved and sealed. The city engineer or his assistants, at the time of such removal of any meter, shall securely paste thereon a slip of paper containing his signature, the date of such removal, and a description of the premises from which the meter is removed. The meter so removed shall, unless another time be agreed upon, be tested after 9 a. m. of the succeeding day (omitting Sundays and holidays) at which time a representative of the person, firm, corporation or individual manufacturing, selling or distributing gas, and also the consumer may be present. And if, upon being tested, the meter so complained of be found inaccurate or defective, upon any of the tests herein provided

for, to the amount of over two per cent fast, the said person, firm, corporation or individual shall pay one dollar (\$1.00) to the city treasurer, as herein provided, and the one dollar (\$1.00) paid by the consumer be refunded.

And whenever any meter, upon being tested as in this paragraph provided, shall be found to measure quantities more than two per cent (2%) in excess of the standard measurement of the gas, the consumer from whose premises such meter shall have been removed, shall be entitled to receive from the said person, firm, corporation or individual a rebate or return of a sum equal to the percentage of such excess of all moneys paid by the consumer to the said person, firm, corporation or individual, and measured by such meter, from the time it had been installed, or previously tested, until the time of such retesting thereof, not exceeding, however, a period of six months.

That the said person, firm, corporation or individual shall not, after said inspection room shall have been provided, install any gas meter in the premises of any consumer, which shall not have been, subsequent to the prior use of the same, tested, proved and sealed, by the city engineer, as herein provided. And the person, firm, corporation or individual shall not thereafter use any gas meter within the said city more than three (3) years after it shall have been tested, proved and sealed, or retested and resealed by the city engineer, in accordance with the provisions thereof; provided that the person, firm, corporation or individual, may continue the use of each of its meters now installed and in service unless complaint thereof be made, or unless found to be defective, until the same shall be tested by the city engineer, as herein provided.

That the said person, firm, corporation or individual may detach and remove thereto to be tested, proved and sealed, by the city engineer as herein provided, its meters now or then in service as follows, to-wit: Not to exceed four hundred (400) in each month, unless by consent of the city engineer, and all of the same prior to the first day of April, 1914, said meters to be removed and delivered to the city engineer respectively, as near as possible in the order in which the same have been tested or retested by the said firm, person, corporation or individual; another meter duly tested, proved and sealed being installed in the place of each one so removed. And (except as hereinbefore specified, in case of a meter complained of

by a consumer), for each such meter which shall thus be proved, tested and sealed by the city engineer, the person, firm, corporation or individual shall pay to the city treasurer the sum of twenty-five cents (25c) as specified herein.

That the engineer shall carefully protect and guard all meters which come into his possession for inspection, and shall tightly cork all such meters during the time the same are in custody and not being tested. And the engineer, in the testing of each meter, shall subject the same to three tests: first, one which proves accurately its registration by means of the standard prover in ordinary use; second, one which proves the steadiness of the light and the freedom of the meter from leakage; third, one which proves that the meter registers small quantities of gas. If, under the first test, any meter shall be found to register quantities incorrectly to any extent exceeding two per cent (2%); or, if under the second test, the meter is found to leak, or if any noticeable fluctuation in the light is observed; or, if under the third test, the meter fails to register small quantities of gas consumed, the meter shall be turned over to the person, firm, corporation or individual, for readjustment and the same shall not be again used until the defect is remedied, the meter again tested, found to be correct and duly sealed. But every meter shall be considered correct as to the first test when duly certified and sealed, which shall register small quantities varying not more than two per centum from the standard measure of gas.

That the city engineer shall have a card made which he shall attach to each meter tested by him, and upon such card shall be given the data connected with the testing of the meter and the time of the testing. If the meter be found to be correct, and be so certified by the city engineer, he shall seal the same by a suitable device. And no person other than the city engineer or his assistants, shall unseal any such meter or deface, alter or remove any card so attached thereto by him, or place thereon any card or writing purporting to be the certificate of the city engineer, provided, however, that in case a meter has to be taken out for repairs, and no application for an inspection of said meter has been made, the same may be taken out and seal broken by other than the city engineer.

SEC. 12. Methods of Testing, General Provision. That all tests herein provided shall be made by the city engineer, or his assistants, and the person, firm, corporation or individual may, if they so desire,

have a representative present at any of the usual or stated tests herein mentioned. All tests of candle or heating power, regularly required, shall be made between nine o'clock a. m. and five o'clock p. m., unless such time be for reason changed by the city engineer, in which event he shall give the person, firm, corporation or individuals reasonable notice in advance of the change of time.

And the volume of all gas used upon such tests shall be corrected to the standard temperature of sixty (60) degrees (Fahrenheit), and to the standard barometric pressure of thirty (30) inches of mercury. But the engineer, or his assistants, may, if he deems it advisable, make tests of the pressure, purity, candle power, and heating value of gas at as many places (including the works of the person, firm, corporation or individual) as he may select without notifying the interested party thereof, such tests to be made in addition to the usual tests made at the regular testing stations.

That whenever, upon any test made of gas for the purpose of ascertaining its purity, candle power or heating value, as herein provided, it shall be found in any such respect not to comply with the requirements of this ordinance, the engineer shall forthwith and within twenty-four hours thereafter (not including Sundays or holidays) deliver at the office of the person, firm, corporation or individual, a notice in writing specifying such defect; and he shall thereupon make similar tests on each and every day thereafter (except Sundays and holidays) advising the person, firm, corporation or individual in like manner as the result thereof, until the gas shall be free from such defects. Defects not remedied within twenty-four hours after notice, shall be counted a violation of this ordinance.

That whenever the city engineer is required by this ordinance to deliver any notice, or other paper at the office of the said person, firm, corporation or individual, mayor or city clerk, he may do so by an assistant or other messenger; and that such person, firm, corporation or individual shall, at all times, during the usual office hours, have some representative in its office who shall receive such notice or paper so delivered, and acknowledge, in writing, the time of the receipt thereof.

SEC. 13. Pressure of Gas. That the person, firm, corporation or individual, selling or delivering gas in Sioux City, Iowa, shall proceed forthwith to repair, reinforce and re-equip the present system of distribution, and regulate and equalize the same, so that the sys-

tem shall, as soon as possible, be in all respects adequate to meet. as to pressure of gas, the requirement hereinafter set forth, within the time hereinafter specified, and in any event in or prior to January 1, nineteen hundred and thirteen (1913), and maintain the pressure thereof within the limits herein prescribed. And the said person, firm, corporation or individual shall also hereinafter maintain, extend and improve the distributing system, with due regard to the fact that it is the intention of the city (hereby expressed) to require the said person, firm, corporation or individual on and after January 1, 1913, without the use of house governors, to maintain a pressure of gas as uniform as may be, that will never be less than two (2) inches nor more than four (4) inches of water pressure in any of its mains on the level of the water in the gas works holder or elsewhere except as the same may be due to the elevation of the main above such level.

That on and after the first day of April, 1911, the pressure of gas supplied by any persons, firm, corporation or individual, tested at any point where the unobstructed service pipe enters the building of the consumer, shall never be less than two (2) inches nor more than six (6) inches of water pressure, except at such places in Leeds where small service pipes are used and at such points not below one and twenty one-hundredths (1.20) inches of water pressure; and that the variation of pressure upon any day at any such point shall never be greater than one hundred per cent (100%) of the minimum pressure upon the same day and at the same point. Provided, however, that the person, firm, corporation or individual may, prior to January first, nineteen hundred and thirteen (1913) install a house governor at the place where the gas enters the consumer's premises, upon filing in each instance with the engineer, a written declaration of its purpose to install the same, together with a description of the premises in which it is to be placed, which declaration shall be kept by the city engineer as a part of the records and files of his office; provided that any person, firm, corporation or individual manufacturing, selling or distributing gas may, after January first, nineteen hundred and thirteen (1913) install any such house governor upon obtaining from the engineer a special permit therefor, as hereinafter provided. Any person, firm, corporation or individual manufacturing, selling or distributing gas shall, whenever any such house governor is removed, forthwith file written notice of such removal with the engineer, and shall, on the first day of each and every month, file

in the office of the city clerk its certified statement showing the aggregate number of such house governors then in use by any person, firm, corporation or individual. But the person, firm, corporation or individual shall not, after the first day of January, nineteen hundred and thirteen (1913), continue the use of any house governor previously installed, and shall not thereafter install, maintain or use any such governor, except at such place and for such period of time only as the engineer shall, after careful examination in each instance, and for some special reason deemed by him to be sufficient by his duly signed permit, allow. And whenever any such special permit shall be granted, a duplicate copy thereof shall be kept and preserved by the engineer as a part of the records and files of his office.

That from and after the passage of this ordinance the engineer shall, at least once each month, if he so determines, without notifying the person, firm, corporation or individual manufacturing, selling or distributing gas, make a general test of the maximum and minimum pressure of gas supplied by any person, firm, corporation or individual manufacturing or selling or distributing gas, at any hour or at all the hours of the whole day; and the engineer shall also obtain and keep a continuous record of gas pressure daily at not less than three (3) points within the district furnished with gas, by means of recording gauges, so distributed as to cover as nearly as possible the whole distribution system of the person, firm, corporation or individual manufacturing, selling or distributing gas, the supply of gas to the said recording gauges being taken from unobstructed service pipes direct from the main. The engineer may also in like manner at any time prior to January first, 1913, without notice to the person, firm, corporation or individual, determine at as many points as he may deem advisable, the gas pressure in any street main or in any service pipe at the inlet, and the outlet of the meter of any consumer.

And it shall be the duty of the city engineer, during the years of nineteen hundred and eleven (1911) and nineteen hundred and twelve (1912) by reference to the record of gas pressure so obtained, and his knowledge of the work being done by the person, firm, corporation or individual, to restore and perfect the distribution system to make monthly joint or separate reports concerning the same to the city council, and to suggest and recommend such additions, alterations or enlargements therein as will, in his opinion, correct any



defect in gas pressure deemed by them, or either of them, to exist therein.

That if, at any time between the first day of April, nineteen hundred and eleven (1911) and the first day of January, nineteen hundred and thirteen (1913), the pressure of the gas supplied by the person, firm, corporation or individual to any consumer, shall fail to comply with the requirements of this section, and the consumer complain thereof to the person, firm, corporation or individual, it shall if the defect be due to local conditions, within seventy-two (72) hours thereafter, and if due to other conditions, within a reasonable time thereafter, remedy the defective pressure so that the pressure will comply with such requirements; and if necessary to remedy the same, the person, firm, corporation or individual, shall, at their own expense, install and maintain a house governor at the point where the gas enters the consumer's premises, first filing with the engineer a notice of its intention to install the same as hereinbefore provided. And should any such consumer, after the person, firm, corporation or individual has undertaken to remedy any such defect in pressure, pursuant to the requirements of this paragraph, be of the opinion that the same has not been corrected, as herein required, and give the engineer notice thereof, the engineer shall forthwith and without charge to consumer test the pressure of gas supplied to the consumer's premises by the use of recording or visual gauges, and furnish to the consumer and the person, firm, corporation or individual, respectively, a written statement of the results thereof. And the person, firm, corporation or individual, shall also, on each and every Monday between April 1, 1911, and January 1, 1913, file with the engineer its certified statement showing the number of such complaints made within the previous calendar week, together with the respective names and residence of the complainants, and the respective points at which the pressure is so complained of.

That on and after the first day of January, nineteen hundred and thirteen (1913), the engineer, if he deem it proper, may, in case of improper pressure as herein defined be complained of, shall test the pressure of the gas in service or house pipe, at the inlet or outlet of any consumer's meter by means of a recording or visual gauge; and if it be thus found that the pressure at any such point does not comply with the requirements of this ordinance, due allowance being made for meter friction, the engineer shall, within twenty-

four hours thereafter, deliver at the office of the person, firm, corporation or individual, manufacturing, selling or distributing gas, a notice in writing of the defect, and the interested party selling the gas, if the defect be due to imperfect conditions in the service pipe, or if any governor placed by the person, firm, corporation or individual therein, within forty-eight (48) hours thereafter, or if the cause be due to any other, remedy such defect within a reasonable time thereafter. And the person, firm, corporation or individual shall, upon remedying such defect as aforesaid, forthwith and within twenty-four hours notify the engineer that the defect has been corrected, so he may ascertain if the pressure then complies with this ordinance.

SEC. 14. That the deposit required of any consumer of gas as security for payment thereof, shall not exceed the probable amount of his two months' consumption thereof. And the person, firm, corporation, or individual manufacturing, selling or distributing gas, shall pay interest at the rate of six (6) per cent per annum, on every such deposit heretofore or hereafter made, for the purpose aforesaid, if the sum exceeds one dollar (\$1.00), and remain six months on deposit, such interest to be paid semi-annually. That forty-eight hours notice in writing shall be given to the person, firm, corporation, or individual manufacturing, selling or distributing gas, by a consumer, before he shall quit the premises where he shall have been supplied with gas; and in default of such notice the consumer so quitting shall be liable to pay the person, firm, corporation, or individual for any gas supplied to said premises before the time for the next reading of the meter therein.

That in addition to the usual form of gas bills made out by the person, firm, corporation, or individual manufacturing, selling or distributing gas, there shall be printed upon the face thereof in bold type the following words: "Discount allowed for deficiency in gross heating value," and the amount of the discount, if any there be, to the consumer pursuant to the provisions of this ordinance, shall be inserted after such words and be deducted from the amount of the bill.

SEC. 15. Discount for Heating Deficiency. That, should the monthly average gross heating value of the gas at the city hall station, or testing stations (determined according to section 11 hereof), at any time fall below six hundred (600) British thermal units, every consumer of gas within the city during the month when the

deficiency shall occur, shall be entitled to and receive a pro rata discount on his gas bill therefor. The percentage of such discount shall be ascertained by dividing the number of British thermal units of such average monthly deficiency at the city hall or testing stations, by the standard of thermal units specified therefor by said section 11, which percentage shall be used by the company in computing the discount of its bill for the month, which discount shall be deducted from the gas bill for the succeeding month or to be paid to the consumer in cash.

That the engineer shall deliver at the office of the city clerk and the mayor, respectively, and also deliver at the office of the person, firm, corporation, or individual, a copy of his computation of the discount in the monthly bill, for each month in which a discount therefrom shall be made pursuant hereto, on or before the fifth day of the succeeding month, and also post copy thereof in the usual place, selected by him for that purpose, certifying therein that the average of heating value as determined at the city hall station, or testing stations, is the average of at least twenty (20) tests made, two in each day upon separate days during said month, wherein the deficiency shall occur.

SEC. 16. Penalties. All persons, firms, corporation, or individuals, selling or distributing gas, within the city of Sioux City, in violation of any of the provisions of this ordinance, shall on conviction pay a fine not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00), and shall be imprisoned until such fine be paid, not exceeding thirty (30) days.

SEC. 17. Repeal. All ordinances and parts of ordinances conflicting with any provisions of this ordinance are hereby repealed.

SEC. 18. Time of Becoming Effective. This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Passed February 11, 1911.

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### INSPECTION OF ELECTRIC METERS.

AN ORDINANCE authorizing the city engineer of Sioux City, Iowa, to inspect and test electric meters in the city of Sioux City, Iowa, and inspect the arc lamps and lights in the city, providing for the refunding of overcharges to consumers and prescribing penalties for the violation of this ordinance.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. It shall be duty of the city engineer, and such assistants as he may appoint, with the consent of the city council, when requested, to inspect, examine and test any and all meters used in the city of Sioux City for measuring and ascertaining the quantity of electricity, or electric energy, or power, furnished by any person, persons, company, or corporation, to users and consumers of electricity, or electric energy, or power in the city of Sioux City. Such examinations and tests of electric meters shall be made by said city engineer with standard measuring instruments and apparatus.

SEC. 2. Any user or consumer of electricity, or electric energy, or power, within the city shall have the right, upon paying to said engineer a fee of fifty cents for each meter, to have his electric meter or meters inspected and tested by said engineer, but the person, company, or corporation, furnishing any electricity, or electric energy, or power, to such user or consumer thereof, shall have due notice of the time and place where such examination and test is to be made. A meter shall be deemed to be correct if it appears from such examination and test that it does not vary more than two (2) per cent, fast or slow, from the quantity actually used as indicated by said standard measuring instruments and apparatus.

If upon such examination and test, a meter is found to be correct, said engineer shall seal or mark the same with some suitable device, but if upon such examination and test it appears that the meter does not register correctly, said engineer shall order the person, company, or corporation, furnishing such meter, to remove the same and to substitute therefor a correct meter.

SEC. 3. If upon such examination and test, at the request of the user and consumer of electricity, a meter is found to be incorrect because too fast, and registering more than two (2) per cent in excess of the quantity actually used, as indicated by said standard measuring instruments and apparatus, said fee of fifty cents paid for such examination and test, shall be refunded to the person paying the same, and such inspection fee of fifty cents shall be paid to the city engineer by the person, firm, company, or corporation, furnishing electricity, or electric power, or energy, to such user and consumer thereof. All moneys received by the city engineer as fees for examination and test of electric meters under this ordinance, shall be paid by him into the city treasury daily.

SEC. 4. It shall be the duty of all persons, firms, corporations, or individuals, to furnish meters that measure correctly, and if upon such examination and test of a meter, it appears the meter of any consumer does not register correctly, because too fast, and registering more than two (2) per cent in excess of the quantity actually used as indicated by the standard measuring instruments and apparatus, any consumer having been theretofore charged, and having paid for electricity as measured by such meter, shall be entitled to, and shall receive a pro rata discount on all his electric bills therefor. The percentage and amount of such discount shall be ascertained on basis of the total number of months the meter was used by consumer, not exceeding six (6) months, and shall be deducted from the next month's bill, or paid to the consumer in cash. Any refusal or neglect to refund by such persons, firms, corporations, or individuals, shall be a violation of this ordinance.

SEC. 5. All persons, firms, corporations, or individuals, furnishing electric lights to the city of Sioux City, Iowa, shall be required to keep the arc lamp globes clean, free from dirt, or other substance that in any way obstructs the light, and replace broken lamps.

Any failure to do so, for a period of twenty-four hours, shall be a violation of this ordinance.

It shall be the duty of the city engineer, on receiving information, or from inspection, that the persons, firms, corporations, or individuals, have failed to comply with this provision, to enter complaint in the proper court and prosecute the said parties for such failure.

SEC. 6. All persons, firms, corporations, or individuals, furnishing or selling electricity for light or power, may request the city engineer to test and seal, or mark, any meter, and upon being tendered or paid the fee of fifty cents, it shall be the duty of the city engineer, or his assistants, to test the meter or meters in the presence of a representative of such persons, firms, corporations, or individuals, at such hour as may be arranged, and if meter does not vary more than two (2) per cent from standard measurement, the engineer shall seal, or mark the meter, and affix a card stating the facts and date of such examination, and if found more than two (2) per cent variation, the meter shall not be used again until regulated to record correctly.

SEC. 7. No person other than the city engineer, or his assistants, shall unseal or break the seal of any meter sealed by him, or his assistants, or deface, alter or remove any certificate or card attached to the meter by said engineer or assistant, or place thereon any card purporting to be the certificate of the city engineer.

SEC. 8. All persons, firms, corporations, or individuals, furnishing or selling electricity for light or power within the city of Sioux City, Iowa, in violation of this ordinance or any provisions thereof, shall on conviction, pay a fine of not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00), and shall be imprisoned until such a fine be paid, not exceeding thirty (30) days.

SEC. 9. All ordinances and parts of ordinances conflicting with any provisions of this ordinance are hereby repealed.

SEC. 10. This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Passed February 18, 1911.

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### INSPECTION OF STEAM HEATING.

AN ORDINANCE to provide for the regulation of individuals and corporations furnishing steam heat in Sioux City, Iowa; to provide for the inspection of meters used in measuring condensation as a basis for steam heat; to regulate steam pressure; to fix a maximum rate of forty cents for each connected radiating square foot of surface of uncovered steam pipe and radiations per season; and to provide rebates for incorrect measuring, and penalties for violation of this ordinance.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. Discrimination. Every individual or corporation operating a plant, system or works, for transmitting steam heat to public and private buildings in the city of Sioux City, Iowa, shall furnish heat indiscriminately to any and all persons, concerns and corporations, along the line of its pipes, mains, conduits, or connections, who may make proper application therefor.

SEC. 2. Pressure. The steam pressure at the entrance of the pipe to any premises shall have sufficient pressure to fill all radiators on the premises with steam in cold weather, when steam heat is necessary during the steam heating season, and the steam pressure at

the entrance of the pipe to any premises shall have a pressure of not less than one pound per square inch.

SEC. 3. Maximum Rate. No individual or corporation furnishing steam heat in the city of Sioux City, Iowa, shall establish meter rates or charge, collect, or attempt to collect, for steam heat furnished to any user, or consumer in said city, any amount in excess of forty cents per square foot of connected radiation surface of radiators and uncovered pipe, per season, provided that the building or rooms to be heated are equipped, and maintained with sufficient radiators and radiating surface to heat the building or rooms to seventy degrees Fahrenheit inside, under pressure of not less than one pound of steam to the square inch at the surface valve, at the entrance of the building with outside temperature at twenty degrees below zero, by actual test.

If under the conditions stated, the piping in the building is ascertained by such test not to be of sufficient capacity to fill all the radiators under these conditions with steam, at a pressure of not less than one pound per square inch, at the valve at the entrance of the building, or if the radiators are insufficient to heat the building or rooms in fact, to a temperature of seventy degrees, with outside temperature at 20 degrees below zero, then the radiation necessary may be estimated, and in such case, no individual or corporation shall charge, collect, or attempt to collect for steam heat at meter rates to exceed forty cents per square foot, on the basis of the estimated radiation, to be determined as hereinafter provided, necessary to reach the temperature of seventy degrees, with outside temperature at twenty degrees below zero. The consumer shall not be required to change the heating system in the building as installed at the date of the passage of this ordinance.

SEC. 4. Arbitration. The amount of radiation, or radiating surface, or steam furnished, shall be measured, ascertained or estimated by the individual or corporation furnishing the steam heat, in the first instance, and if any dispute arises between the consumer and such individual or corporation furnishing steam heat, as to correct measurement or estimates, then, in that event, the amount of radiation, radiating surface, or estimated radiating surface, or steam furnished, shall be determined by arbitration, the individual or corporation furnishing the steam heat selecting one referee, and the consumer selecting the other referee, and in case the said two referees do not

agree on the correct measurement, or estimates, then the same shall be referred to the city engineer, as a third referee, and the decision of two of the referees shall be final. The season for steam heat shall consist of eight months, from September fifteenth of each year to May fifteenth of the following year.

SEC. 5. Inspector. The city engineer of the city of Sioux City, Iowa, shall be inspector of steam heat furnished by any individual or corporation to users and consumers of steam heat in said city. It shall be the duty of such inspector, with the aid of his assistants, when requested, to inspect, examine and test any and all meters used in the said city for measuring and ascertaining the quantities of steam heat furnished by any individual or corporation to users and consumers of steam heat in said city. In making such examination and tests he shall use standard measuring instruments and apparatus to be furnished and approved by the city council of said city.

SEC. 6. Privilege of Inspection. Any user or consumer of steam heat within the city of Sioux City, Iowa, upon paying to the inspector of steam heat a fee of \$1.00 for each meter, may have his meter inspected, examined and tested by said inspector. It shall be the privilege of such user or consumer and the individual or corporation furnishing the steam heat to be present or represented at such test and examination.

If the individual, or corporation furnishing the steam heat desires, to make a test, it may do so upon giving notice to the consumer or user, and tendering the fee of \$1.00 to the inspector, and removing the meter in the presence of the inspector to a room designated by him, temporarily substituting a meter therefor.

The inspector of steam heat, when requested by the user or consumer of steam heat, to test his meter, and the fee of \$1.00 is tendered to him, shall immediately notify the individual or corporation to disconnect the meter in the presence of the inspector, or one of his assistants, and temporarily substitute another in place thereof, and move same to the room designated by the inspector for examination and test.

SEC. 7. Methods of Testing Meters. A meter shall be deemed to be correct if it appears from such examination and test by the inspector of steam heat that it does not vary more than two per cent, fast or slow, from the quantity actually used as indicated by the standard measuring instrument and apparatus employed in the test



and examination, and if upon such examination and test a meter is found to be correct, the inspector shall seal or mark the same with some suitable device; but if upon examination and test it appears that the meter does not register correctly because too fast, and registering more than two per cent in excess of the quantity actually used, the said inspector shall order the individual or corporation furnishing such a meter to substitute a correct meter.

SEC. 8. Removal of Meters. No individual or corporation furnishing steam heat in the city of Sioux City, Iowa, shall remove the seal or mark from any meter, when installed, without first giving notice to the consumer or user, and allowing at least twenty-four hours, if so requested, for examination and test by the inspector of steam heat of said city. All meters shall be removed by the individual or corporation furnishing steam heat, between May 15th and September 15th of each year, to a suitable place for examination, and shall be tested, sealed or marked by the city engineer before being reset. The inspection is to be done at such time as the individual or corporation requests, and the amount of twenty-five cents per meter shall be charged for such testing, sealing or marking.

SEC. 9. Rebates. If the meter tested at request of the user or consumer shall be found to measure more than two per cent in excess of the standard measurements of steam heating meters, as hereinbefore stated, the consumer and user of said steam heat shall be entitled to a refund of the fee paid, and payment of such fee shall be made by the individual or corporation furnishing the steam heat, and in addition, the consumer or user shall be entitled to receive from the individual or corporation furnishing the steam heat, a rebate of a sum equal to the percentage of such excess of such steam heat at the established prices in the contracts, charged by the individual or corporation, of all the money paid by the consumer to the individual or corporation and measured by such meter from the time it was installed or previously tested, until the time of such retesting thereof, not exceeding a period of two months.

All moneys received by said inspector of steam heat as fees for examination and test of steam heating meters under this ordinance, shall be paid by him into the city treasury daily.

SEC. 10. Drainage. Any consumer shall have the right to attach a drainage pipe to the main line, inside of building and supplying building, adjoining the surface valve at entrance, and conduct the

condensed water, if any at that point, into the sewer, and no individual or corporation shall have the right to charge, collect or attempt to collect, for such waste water.

SEC. 11. Any individual or corporation may establish and maintain meter rates for measuring steam by condensation, subject to the foregoing provisions of this ordinance, not to exceed the following rates:

First 10,000 pounds of water.....	90c per 1,000 lbs.
Next 10,000 pounds of water.....	80c per 1,000 lbs.
Next 10,000 pounds of water.....	70c per 1,000 lbs.
Next 10,000 pounds of water.....	60c per 1,000 lbs.
Next 260,000 pounds of water.....	50c per 1,000 lbs.

SEC. 12. Penalties. Any individual or corporation violating any of the provisions of this ordinance shall be subject to and pay a fine not to exceed one hundred dollars (\$100.00).

Passed March 4, 1911.

### **SOUTH SMITH'S VILLA ADDITION.**

AN ORDINANCE to change the name of all that portion of the city of Sioux City, heretofore known and called Sioux City West and Sioux City West Second Filing.

Whereas, a petition signed by the owners of property in that portion of the city of Sioux City, Iowa, which has heretofore been known and called Sioux City West and Sioux City West Second Filing, has been presented to this council, asking that the name of said additions be changed such that the same shall hereafter be known and called South Smith's Villa addition to Sioux City, Iowa.

And whereas, said petitioners have offered and agreed to pay all the costs and expense rendered necessary by reason of the change of the name of said additions, also for the publication of this ordinance,

*Therefore, be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That all that portion of the city of Sioux City, which has heretofore been known and called Sioux City West and Sioux City West Second Filing, and which is bounded on the north by West Fourteenth street, on the east by Rebecca street, on the south by West Fourth street, and on the west by West Boulevard, be

changed, so that the whole of said tract shall hereafter be known and called South Smith's Villa addition to Sioux City.

SEC. 2. This ordinance shall be published without expense to the city of Sioux City.

Passed August 8, 1905.

### WIDENING SEVENTH STREET.

AN ORDINANCE providing for the widening of Seventh street, and dedicating certain lots in Cole's addition, an addition to Sioux City, Iowa, to said purpose.

Whereas, the city of Sioux City, Iowa, purchased for street purposes lots 6 and 7 in block 5, lots 6 and 7 in block 6, lots 6 and 7 in block 15, and lot 6 in block 16, in Cole's addition, an addition to Sioux City, Iowa; and,

Whereas, Seventh street as originally platted is only four (4), feet wide at its intersection with Division street; and

Whereas, it is deemed advisable and necessary to widen said street,

*Now, therefore, be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That Seventh street, from the east line of the alley extending north and south in block 16, Cole's addition, an addition to Sioux City, Iowa, to Division street, and south of blocks 5, 6, 15 and 16, in Cole's addition, an addition to Sioux City, Iowa, be and the same is hereby extended and widened so as to include in its width lots 6 and 7 in block 5, lots 6 and 7 in block 6, lots 6 and 7 in block 15, and lot 6 in block 16, in Cole's addition, an addition to Sioux City, Iowa, and that said lots be and are hereby dedicated to street purposes by the city of Sioux City, Iowa, the owner of said lots.

SEC. 2. That the city of Sioux City, Iowa, has caused a survey to be made of said lots and street as now established and widened, and hereby refers to the plat of said street for more particular description of said street, which plat is hereto attached and made a part of this ordinance.\*

SEC. 3. This ordinance shall be in full force and effect from and after its adoption as provided by law.

Passed July 23, 1910.

\*Note—See plat on file in office of city engineer.

**ESTABLISHING CERTAIN STREETS.**

AN ORDINANCE establishing certain streets and providing for the condemnation or purchase of necessary ground therefor.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

That the following described streets be laid and established:

SECTION 1. There shall be established a street from Twenty-second street in Joy and Lewis re-plat, an addition to Sioux City, Iowa, to Division street in Higman's Second Lowell, an addition to Sioux City, Iowa, which street shall be known and designated as Lowell avenue, and shall consist of a strip of land sixty (60) feet in width, substantially parallel with the Illinois Central Railroad, and about four hundred (400) feet distant in a westerly direction therefrom, and more particularly described as follows: The easterly line of said street shall commence at the point in the south line of lot one (1), block one (1), of Joy and Lewis re-plat, which is fifteen (15) feet west of the southeast corner of the said lot; thence in a straight line to the point in the north line of lot eight (8), in block five (5), of Lowell addition, which is twenty-five (25) feet east of the northwest corner of said lot, thence to the point in the north line of lot four (4), in block thirteen (13), of Higman's Second Lowell, which is twenty (20) feet east of the northwest corner of said lot, thence to the northeast corner of lot fifteen (15), in block twelve (12), Higman's Second Lowell addition; thence to Twenty-eighth street to a point 60 feet west of right of way of the Illinois Central Railroad Company.

SEC. 2. There shall be established a street, being a continuation of Twenty-second street, commencing at the intersection of Twenty-second street with Lowell avenue, thence extending in a southeasterly direction to the Floyd River road; the northerly boundary line shall commence at the northeast corner of the intersection of Lowell avenue with said Twenty-second street, thence extending in a southeasterly direction to the northwest corner of lot seven (7), block two (2), Joy and Lewis re-plat of Meek, Anderson and Arthur's addition, thence continuing in the same course and direction in a straight line to the Floyd River road.

SEC. 3. There shall be established a continuation of Nineteenth street, sixty (60) feet in width, from Wall street to the Floyd River road. More particularly described as follows: The north line of

said street shall extend from its present terminus at Wall street in an easterly direction to the southeast corner of lot twelve (12), block twelve (12), Orchard Hill addition, thence in a straight line in a southeasterly direction to the point in the westerly line of the right of way of the Illinois Central Railroad Company, which is four hundred (400) feet northeasterly from its intersection with the west line of section twenty-two (22), township eighty-nine (89), range forty-seven (47), thence continuing in a straight line to the Floyd River road.

SEC. 4. In consideration of the vacation of certain other streets and alleys, the Chicago, St. Paul, Minneapolis & Omaha Railway Company has agreed to dedicate the ground required to establish Nineteenth street and Twenty-second street, as herein established, and such of the ground as it now owns or may acquire, which is required for Lowell avenue, as herein established. And for the remainder of the ground required for Lowell avenue, it has agreed to pay the cost of purchase at certain prices, if it can be purchased, or if it cannot, then the cost of condemnation for the purposes of the street. It has also agreed to grade the said streets so established in such a manner that they will be reasonably suitable for travel.

SEC. 5. If the city is unable to agree with the owner, or owners, of the ground desired for said streets, it shall be acquired by condemnation for the public use in the manner provided by law.

SEC. 6. This ordinance shall take effect and be in force from and after its publication, which shall be without expense to the city.

Passed March 4, 1902.

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### ESTABLISHING A HIGHWAY FROM LEEDS BOULEVARD.

AN ORDINANCE establishing a road or highway, commencing at the western terminus of Leeds boulevard and thence westerly, as hereinafter described.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the road or highway petitioned for by Joseph S. Lawrence, Peter Eckerson, and others, filed October 17, 1905, be and the same is hereby granted, and it is hereby ordered that said road or highway, described, as follows: Commencing at the western

terminus of Leeds boulevard, thence running west with one-half of the highway on each side of the east and west quarter line to a point two rods west of the center of section 10, township 89, range 47, Woodbury County, Iowa; thence south on the quarter line, one-half of the highway being on each side thereof, to a point two rods south of the south line of the said section; thence west on the said section line, one-half of the highway being on each side of the said section line, to a point 42 rods west of the north and south quarter line in section 10, thence directly south 80 rods, the middle line of the highway being 40 rods west of and parallel with the north and south quarter line in section 15 in said township and range, to a point directly east of Thirty-fifth street, in Pierce's addition to Sioux City; thence west to the eastern terminus of said Thirty-fifth street, be and the same is hereby located and established.

SEC. 2. This ordinance shall take effect from and after its passage, approval and publication, as provided by law.

Passed November 7, 1905.

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### VACATIONS OF STREETS AND ALLEYS.

Portions of streets, alleys and public grounds have been vacated, from time to time, by ordinances duly passed by the city council, and grants made of the same, in some cases in exchange for other property, and in some cases outright to the owners of abutting property. Instead of printing these ordinances in full, it has been decided to describe as briefly as possible the streets, alleys or public grounds, or parts thereof, thus vacated, to whom granted and the date of such vacation and grant, each section as given below representing a separate ordinance. All the ordinances in full will be found recorded in the records in the office of the city clerk.

SECTION 1. Vacating that part of Kansas street between blocks 48 and 49, and extending from Seventh street to Perry Creek, in Sioux City proper, and granting same to Roger McNamara. Passed December 22, 1868.

SEC. 2. Vacating all the streets and alleys within the boundaries beginning at the intersection of Pierce street, Sioux City East addition, with the south line of Second street; thence running east along the south line of Second street to Virginia street, in Middle Sioux City; thence south along the west line of Virginia street to the

north line of First street, to the west line of Jones street; thence south along the west line of Jones street to the Missouri River; thence northwesterly along said river to the east line of Pierce street; thence north along the east line of Pierce street to the point of beginning; also the levee within said limits belonging to said city is vacated, depot purposes. Passed February 12, 1869.

SEC. 3. Vacating Seventh street from Water street west to Perry creek, in Sioux City East addition. Passed May 17, 1870.

SEC. 4. Vacating alleys in block 69, Sioux City East addition. Passed August 5, 1873.

SEC. 5. Vacating so much of the north and south alley in block 44, Sioux City proper, as extends through the south half of said block, and granting same to Jacob Franz & Company. Passed Dec. 9, 1879.

SEC. 6. Vacating alley running north and south through block 32, Sioux City East addition. Passed April 19, 1880.

SEC. 7. Vacating the south half of the north and south alley in block 18, Middle Sioux City, and granting same to R. D. Hubbard and T. P. Gere. Passed October 2, 1883.

SEC. 8. Vacating all of Steuben and Morgan streets, lying between the south side of Dace street and the Floyd River, and all of Leech, Washington and Culver streets, lying between the east side of Lafayette street, and the west side of Chambers street; and all of Floyd street, lying west of Chambers street, between the west side thereof and the Floyd River; and the south 150 feet of the alley running north and south and the west 150 feet of the alley running east and west through block 11, and all the alleys in blocks 12, 13, 16, 17, 18, 25, 26, 27 and 32, Floyd City, and granting privilege of using so much of the streets and alleys so vacated, to A. H. Wilder, John L. Merriam, Wm. R. Merriam and J. E. Booge, for use as a pork packing establishment and appurtenances or similar business. When no longer used for said purposes, to revert to the city. Passed February 12, 1884.

SEC. 9. Vacating so much of the east and west alley in block 12, Sioux City, as lies between lots 9 and 10, in said block, and granting same to Sioux City Foundry and Machine Works, for its buildings and yards; property to revert to the city if the company, its successors and assigns shall cease permanently to use said part of said alley for the purposes stated. Passed April 8, 1884.

SEC. 10. Vacating alley in west half of block 10, Sioux City East addition, between lots 3 and 4, in said block, and conveying same to Woodbury County, in exchange for strip of ground 16 feet in width off the south side of lot 4, for an alley. Passed February 2, 1886.

SEC. 11. Vacating so much of Jones street as is situated between the south half of blocks 21, Middle Sioux City, and 25, Sioux City East addition, extending from north line of Second street to the south line of the alleys running east and west through the aforesaid blocks, and so much of the alley running north and south through block 5, Sioux City East addition, as is situated between the north line of Second street and the south line of the alley running east and west through said block, and granting same to Chicago, Milwaukee & St. Paul Railway Company. Passed July 13, 1886.

SEC. 12. Vacating alley in block 32, Sioux City East addition. Passed July 13, 1886.

SEC. 13. Vacating so much of Grant street, as is situated between the south line of the alleys running east and west in blocks 6 and 7, and the north line of the alleys running east and west in blocks 8 and 9, Felt's addition, and granting same to Chicago, Milwaukee & St. Paul Railway Company. Passed June 23, 1887.

SEC. 14. Vacating 25 feet off the west end of Montreal street, between blocks 46 and 47; 25 feet off the west end of Plum street, between blocks 33 and 46; 25 feet off the west end of Henry street, between blocks 32 and 33, and 25 feet off the west end of St. Joseph street, between blocks 22 and 32, all in Rustin & Company's addition, and granting same to Sioux City Bridge Company. Passed June 23, 1887.

SEC. 15. Vacating that part of east and west alley in block 13, Sioux City East addition, that lies between lots 3 and 4, and between lots 9 and 10, and granting same to Independent School District of Sioux City. Passed September 6, 1887.

SEC. 16. Vacating north half of north and south alley in block 67, Sioux City East addition, and granting same to Joseph and Sigmund Schulein. Passed June 12, 1888.

SEC. 17. Vacating so much of road No. 15, located by the board of supervisors of Woodbury County, September 5, 1864, as lies west of the Floyd River; provided, however, that this vacation shall not affect any part of Second street, where it intersects said road. Passed October 16, 1888.



SEC. 18. Vacating alley lying between lots 11, 12 and 15, block 9, Palmer's Morningside addition, and granting same to owner of abutting property, in exchange for strip of ground 16 feet in width, between lots 14 and 15 in said block, for a public alley. Passed July 16, 1889.

SEC. 19. Vacating the north alley in block 40, Highland Park, and granting same to S. B. Jackson. Passed September 10, 1889.

SEC. 20. Vacating west half of east and west alley in block 9, Palmer's Morningside addition, and granting same to Henrietta Jackson, in exchange for strip of ground 12 feet wide, for a public alley. Passed October 15, 1889.

SEC. 21. Vacating all that portion of Jay street, in Floyd City, lying immediately south of lots 6 and 7, block 38, Floyd City, or extending from the east end of Jay street, at the Floyd River, west to a point even with the east line of the alley running north and south through said block 38, and again from a point even with the west line of said alley to the Floyd River, and granting the use of same to C. C. Wales and H. D. Booge, jr. Passed March 14, 1890.

SEC. 22. Vacating south half of north and south alley in block 67, Sioux City East addition, and granting same to Jennie E. Rogers, E. P. Stone and Eva L. Manley. Passed November 11, 1890.

SEC. 23. Vacating a strip of land 10 feet wide in and on the north side of West Fourth street, from Leonard street to the west side of Highland plat, No. 3; a strip of land 10 feet wide in and on the south side of West Fourth street from Leonard street to the west side of said addition; a strip of land 10 feet wide in and on the east side of Central avenue from West Fourth street to the north line of said addition; a strip of land 10 feet wide in and on the west side of Central avenue, from West Fourth street to the north line of said addition. Passed January 20, 1891.

SEC. 24. Vacating all the alleys in blocks 26, 27, 28, 29, 30, 31 and 44, Central Sioux City, and in block 15, Middle Sioux City, and in blocks 26, 27, 28, in Sioux City East addition; also such parts of Pavonia, Prospect, Chambers and Morgan streets, in central Sioux City as lies between the north line of Second street and the south line of Third street; also that portion of the north half of Second street in Central Sioux City as lies between the west line of Division street and the east line of Steuben street, and between the west line of Steuben street and the east line of Lafayette street, in Central Sioux

City, as is not now occupied by the tracks of any other railroad company other than the Sioux City & Northern Railroad Company, and granting same to Sioux City Terminal Railroad and Warehouse Company, so long as same shall be used for railroad purposes. Passed March 14, 1891.

SEC. 25. Vacating that part of Smith's Floyd River road, so far as the same crosses the northwest quarter of section 14, township 89, range 47, and granting same to Frank C. Henderson. Passed April 14, 1891.

SEC. 26. Vacating that part of Smith's Floyd River road, so far as the same crosses the southwest quarter of section 14, township 89, range 47, and granting same to Charles W. Baldwin. Passed May 8, 1891.

SEC. 27. Vacating the following portions of Dale street and Ingleside avenue, to-wit: Commencing at the southeast corner of Ingleside avenue and Dale street, being the northwest corner of lot 10, block 4, Healy's addition, running northeasterly on a line parallel with the east line of Kirk's addition and 66 feet distant therefrom, 18.5 feet; thence southeasterly on a line parallel to and 63 feet distant therefrom, the south line of lot 11, block 5, Galbraith's Second addition, 123 feet to a point 67.5 feet northerly from the southeast corner of lot 9, block 4, Healy's addition; thence south parallel to and 81 feet distant from the west line of lot 9, block 4, Galbraith's Second addition, 114 feet to the southeast corner of lot 8, block 4, Healy's addition; thence southeasterly along the east and north lines of lots 8, 9 and 10, block 4, Healy's addition, and granting same to G. B. Healy. Passed June 2, 1891.

SEC. 28. Vacating all that part of the alley running east and west through block 43, Middle Sioux City, and extending from the east side of Howard street to the west side of Clark street, and all that part of the alley running east and west through block 42, Middle Sioux City, and extending from the east side of Howard street to the west side of Clark street, and all that part of Fifth and Sixth streets that lies east of Howard street and west of the west line of Clark street, Middle Sioux City, and a strip of land 18 feet wide off the east side of Howard street and extending from the south side of Seventh street to the southwest corner of lot 6, block 29, Middle Sioux City, for the use and benefit of the Dubuque and Sioux City Railroad Company. Passed November 24, 1891.

SEC. 29. Vacating alley between lots 7, 8, 9, 10 and 11, on the east, and lot 12, on the west, in block 6, Stone's addition, and granting same to I. N. Stone. Passed January 19, 1892.

SEC. 30. Vacating the alley in Hornick's addition to Sioux City, Third filing, and granting same to A. L. Stetson in exchange for two alleys 10 feet wide, by re-plat. Passed February 9, 1892.

SEC. 31. Vacating that part of the road known as the "Branch of the Floyd River road," as lies north and east of the northeast corner of Carey's sub-division, in exchange for dedication of new streets. Passed April 26, 1892.

SEC. 32. Vacating so much of Lafayette, Steuben, Morgan, Floyd and Jay streets, lying south of the Floyd River, and the alleys in blocks 30, 31, 39, 40, 41 and 42 in Floyd City, as are located south of the Floyd River, and granting same to Union Stock Yards Company. Passed July 6, 1892.

SEC. 33. Vacating alley in block 36, Sioux City East addition and granting same to Mary Weare. Passed November 29, 1892.

SEC. 34. Vacating the alley in block 63, Sioux City East addition, located between lots 3 and 4, and 9 and 10, and granting same to Fred B. Hutchens, Mrs. H. A. Perkins, Thomas W. Jordan and Mary Ely Weare Peirce. Passed August 8, 1893.

SEC. 35. Vacating the alley between lots 3 and 4, block 37, Middle Sioux City, and granting same to D. T. Hedges. (No date of passage of ordinance.)

SEC. 36. Vacating that part of Elm street extending from the north side of West Third street northwardly to the center of Perry Creek, and the alley in block 44, Sioux City proper, extending westwardly from the aforesaid portion of Elm street, to a point sixteen feet east of the center of said block 44, and conveying same to Elizabeth B. Tredway, upon certain conditions. Passed March 12, 1894.

SEC. 37. Vacating a strip 14 feet wide off the west side of Park street south of Sixth street, the same being along the east side of fractional block 91, Sioux City East addition, and granting right to use same to First Christian church, so long as same is used for church purposes. Passed April 10, 1894.

SEC. 38. Vacating so much of the alley as lies between lots 16 and 17, block 42, Sioux City; also the following described portion of Elm street: commencing at the southwest corner of lot 3, block

46, Sioux City, and running thence northerly along the east line of Elm street to the present south bank of Perry creek, to the east line of block 42, Sioux City; thence southerly along the west line of Elm street to a point on the west line of said street, 155 feet distant from the southeast corner of said block 42; thence easterly to place of beginning, and granting same to the Credits Commutation Company. Passed October 15, 1895.

SEC. 39. Vacating certain alleys in Floyd cemetery and providing for the division of the ground so vacated into lots. Passed February 18, 1896.

SEC. 40. Vacating so much of the alley running north and south through block 4, Middle Sioux City as lies between lots 1, 2, 3 and 4 and lots 5, 6, 7 and 8, in said block, and granting same to United Gas Improvement Company. Passed May 25, 1897.

SEC. 41. Vacating so much of the north and south alley in block 11, Middle Sioux City, as lies between lots 1 and 2 and the south eight feet of lot 3, and lots 11 and 12, block 11, Middle Sioux City, and granting same to Sioux City Gas Light Company. Passed May 25, 1897.

SEC. 42. Vacating all the alleys in blocks 5 and 6, in Krummann's Lowell addition, and also so much of Chambers street and Michigan avenue as lies between said block 6 in Krummann's Lowell addition and block 3, Meek, Anderson & Arthur's addition, north of Twenty-first street and south of Floyd river road, so-called; also all of Krummann's avenue east of said Floyd river road; also all that portion of Park avenue as lies south of the center line thereof; also all that part of Twenty-second street lying and being west of the center line of said Park avenue, and granting same to Sioux City Starch Company. Passed June 22, 1897.

SEC. 43. Vacating so much of the alleys in blocks 17, 18, 19 and 20, Middle Sioux City, running north and south in said blocks as lies in and extends through the north half of said blocks, and granting same to the Chicago, St. Paul, Minneapolis & Omaha Railway Company. Passed June 8, 1897.

SEC. 44. Vacating the following described portions of Elm street, to-wit: commencing at the southeast corner of block 42, Sioux City, and running thence northerly along the west line of Elm street 155 feet, thence easterly across Elm street to the southwest corner of lot 3, block 46, Sioux City, thence southerly along the

east line of Elm street to the intersection of said east line with a line extending westward parallel with the south line of said block 46, starting from a point on the east line of lot 7, block 46, 25 feet north of the southeast corner of said lot 7, and thence westerly across Elm street to the place of beginning; also so much of the alley in block 46, Sioux City, as lies between lot 3 and lots 5, 6 and 7 in said block, and granting certain portions of same to the Credits Commutation Company and Standard Oil Company. Passed May 31, 1898.

SEC. 45. Vacating all that portion of Park avenue, lying north of the center line thereof, and east of the east line of the Floyd river road, so-called, and also that portion of Twenty-second street, lying north of the center line of Park avenue, and also all the alleys in block 4, Krummann's Lowell addition, and also the alley lying east of block 4, and west of the west line of the southwest quarter of the northeast quarter of section 22, township 89, range 47, and south of the center line of Central avenue, and granting same to the Sioux City Starch Company. Passed September 13, 1898.

SEC. 46. Vacating the east and west alley through block 21, North Sioux City, and granting same to Rebecca O. Smith, Emily Hoole, Gertrude S. Pratt and the First National Bank. Passed December 11, 1900.

SEC. 47. Vacating all that portion of Omaha street, lying between blocks 64 and 65, together with all alleys in said blocks 64 and 65; together with the tract or parcel of land described as follows: Commencing at the northeast corner of block 64, Sioux City proper, thence east 24 feet to the bank of Perry creek, thence southwesterly along the bank of said Perry creek, to a point 135 feet south and 67 feet west of the northeast corner of said block 64, thence north 8 degrees, east 67 feet to the east line of said block 64, thence northeasterly along said east line of said block 83 feet to the place of beginning, and granting same to T. J. Stone in exchange for a tract or parcel of land. Passed October 31, 1900.

SEC. 48. Vacating Steuben, Clark and Lafayette streets, lying between and extending north and south between blocks 9, 10, 11 and 12, Orchard Hill addition; also the alleys in said blocks from the south line of Twenty-first street, southward through Orchard Hill addition, and granting same to Sioux City Seed and Nursery Company. Passed December 10, 1901.

SEC. 49. Vacating alley between lots 2 and 3, block 16, Smith's Walnut Hill Villa addition, and granting same to L. E. Healy. Passed February 25, 1902.

SEC. 50. Vacating the following described portions of streets and alleys, to-wit: All the streets, alleys and public places surrounding lots 31 to 39, inclusive, in Galbraith's addition, marked on the plat as Glen Cove; Oak street, lying contiguous to Galbraith's addition, from the southwest corner of lot 1 in subdivision block 3, Chase & Taylor's addition, to the Illinois Central Railroad; all the streets and alleys in subdivision block 3, Chase & Taylor's addition, being Hyde, Ash and Maple streets and the alley lying between lots 1 to 12, inclusive, and lots 13 to 23, inclusive; Twenty-first street from Clark street to the Illinois Central Railroad; Twenty-second street from Lowell avenue to the Illinois Central Railroad; Twenty-third street from Lowell avenue to Michigan avenue; Central depot street from Lowell avenue to the Illinois Central Railroad; Twenty-fifth street from Lowell avenue to the Illinois Central Railroad; Lewis street from Lowell avenue to the Illinois Central Railroad; Division street from Lowell avenue to the Illinois Central Railroad; Steuben street from Lowell avenue to Twenty-first street; Michigan avenue from Lowell avenue to the Illinois Central Railroad; Iowa avenue from Lowell avenue to Central depot street; Chambers street from Lowell avenue to the Illinois Central Railroad; Adel street from Lowell avenue to Lewis street.

The alley in block 6, in Orchard Hill addition; the alley in blocks 1 and 2, Joy and Lewis re-plat; the alley in block 1, Lowell addition; the alley in block 2, Lowell addition, from Lowell avenue to Michigan avenue; the alley in block 5, Lowell addition; the alley in block 6, Lowell addition; the alley in block 7, Lowell addition, from Lowell avenue to Pleasant street; the alley in block 12, Higman's Second Lowell addition, from Lowell avenue to Lewis street; the alleys in block 13, Higman's Second Lowell addition, and also a strip of ground shown upon the plat as a street lying between block 13, in Higman's Second Lowell addition and the Illinois Central Railroad.

That all that part of Twenty-first street from Clark street to Lowell avenue, and all that part of the alley in block 6, Orchard Hill addition, from Lowell avenue to Twenty-second street, be and the same is hereby granted to the Sioux City Seed and Nursery

Company, the owner of the contiguous property. And all the remaining alleys, streets and public places herein vacated, be and the same are hereby granted to the Chicago, St. Paul, Minneapolis & Omaha Railway Company. Passed March 4, 1902.

SEC. 51. Vacating that portion of Ash street in Chase & Taylor's addition to Sioux City, which lies between lot 1, in block 2, and lot 17, in block 1, in Chase & Taylor's addition to Sioux City, and granting same to Chicago, St. Paul, Minneapolis & Omaha Railway Company. Passed May 20, 1902.

SEC. 52. Vacating so much of the alley running north and south through block 58 in Sioux City East addition, as lies in and extends through the south half of said block 58, in said Sioux City East addition, and granting same to Philip J. Garrigan. Passed August 19, 1902.

SEC. 53. Vacating that portion of West Seventh street in Sioux City, bounded and described as follows: Commencing at the southwest corner of lot 6, block 76, Sioux City proper, thence southeasterly along the south line of said lot 6, 29 feet and 5 inches, thence west along the north line of West Seventh street in Tredway's addition, projected to the intersection of the north line of West Seventh street, in Sioux City proper, 24 feet and 8 inches to the west line of northeast quarter of section 29, township 89, range 47, thence north on said line 15 feet and 10½ inches, to the place of beginning, and granting same to Gard Brothers. Passed September 9, 1902.

SEC. 54. Vacating that portion of the alley running east and west through block 30, Sioux City East addition, lying between lot 3 and lots 4, 5 and 6 thereof, and granting same to Sioux City Traction Company. Passed November 3, 1902.

SEC. 55. Vacating the north 150 feet of the alley running north and south through block 19, Hedges' Morningside addition, and granting same to E. B. Babcock. Passed March 10, 1903.

SEC. 56. Vacating both the north and south and east and west alleys in block 1, Rederich's addition to Sioux City, Iowa, and granting same to Wm. Johnson. Passed March 10, 1903.

SEC. 57. Vacating that portion of the north and south alley in block 4, Holman's addition, lying between lots 6 and 11 and 12, from a point 16 feet north of the south line of said lots 6 and 11, to Morningside avenue and granting same to C. P. Jochimsen, in exchange

for strip of ground 16 feet wide off of lot 6, for alley. Passed March 17, 1903.

SEC. 58. Vacating north and south alley in block 53, Sioux City East addition and granting same to Paul King, J. M. Knott, Ed. M. Hunt, J. H. Strief, Clara Shepard, Fannie T. Stetson and First Church of Christ, Scientist. Passed April 28, 1903.

SEC. 59. Vacating the east and west alley in block 54, Sioux City East addition, and granting same to Helen L. Stewart, W. F. Duncan, M. L. Pardoe and Iowa & California Land Company. Passed July 7, 1903.

SEC. 60. Vacating all of the alley running north and south, between blocks 1 and 2, in Higman's Second Boulevard addition, except the south 45 feet thereof, and all that portion of the alley running east and west as extended between lots 1, 2, 3, 4, 17, 18, 19 and 20, in block 1, Higman's Second Boulevard addition, and granting same to Convent of the Good Shepherd. Passed August 4, 1903.

SEC. 61. Vacating all that portion of the east and west alley in block 1, Sioux City East addition, lying west of the north and south alley in said block, and granting same to Anna L. Pinckney and National Life Insurance Company. Passed August 19, 1903.

SEC. 62. Vacating the streets and alleys included in the following described land: All that part of government lots 4 and 7, of fractional section 1, in township 88, range 48, and situated in Woodbury County, Iowa, described as follows: Beginning at a point on the easterly line of the right of way of the Chicago & Northwestern Railway Company, which is 50 feet easterly at right angles from a point in the center line of the present main track of said railway company, and 1,220 feet southerly measured along said center line from its intersection with the center line of the main track of the railway of the Sioux City Bridge Company, thence easterly at right angles to the center line of the main track of said Chicago & Northwestern Railway Company 50 feet, thence southerly parallel with and 100 feet distant easterly from said center line 1,200 feet; thence easterly at right angles 25 feet; thence southerly parallel with and 125 feet easterly from said center line 1,450 feet, more or less, to the south line of said government lot 7; thence west along the south line of said lot 7, to the easterly line of the said right of way, and thence northerly along said right of way line to the place of beginning.



All that part of government lot 8, of fractional section 1, township 88, range 48, situated in Woodbury County, Iowa, described as follows: Commencing at the point of intersection of the north line of said government lot 8, with a line drawn 50 feet east of and parallel with the main track of the Chicago & Northwestern Railway Company as now constructed; thence southerly on a line parallel with and distant 50 feet easterly from the center line of said railway 1,280 feet; thence easterly at right angles to said center line 25 feet; thence northerly on a line parallel with and distant 75 feet from said center line 1,100 feet; thence easterly at right angles to said center line 50 feet; thence northerly parallel with and 125 feet distant easterly from said center line to the north line of said government lot 8, and thence west on the north line of said lot 8 to the place of beginning, and granting same to Chicago and Northwestern Railway Company. Passed September 15, 1903.

SEC. 63. Vacating the north 36 feet of Seventeenth street, from the west line of Pierce street to the east line of the north and south alley between Pierce and Douglas streets, and granting same to Women's Christian Association, for park and ornamental purposes only. Passed November 10, 1903.

SEC. 64. Vacating the alleys lying immediately east and west and adjacent to blocks 416, 417, 418 and 419, Floyd cemetery, and granting same to certain individuals in trust for Gen. Hancock Post, No. 22, G. A. R. Passed November 10, 1903.

SEC. 65. Vacating that part of Washington avenue, in Highland park, lying between the east line of Iowa avenue, projected south to the north line of the old Sioux City & Highland Park Railway Company's right of way, and the west line of lot 60, block 25, in said addition, projected to the south line of Washington avenue, and granting same to Franklin Schell, in exchange for strip of land 60 feet in width for highway purposes. Passed November 17, 1903.

SEC. 66. Vacating all that part of Omaha street lying between block 5, Sioux City, and block 16, Davis addition, and granting same to W. D. Everett. Passed January 19, 1904.

SEC. 67. Vacating the east and west alley between lots 10 and 11, block 22, Table addition, and granting same to N. H. Porter. Passed March 15, 1904.

SEC. 68. Vacating the highway known as "Shore Drive," between block 2, Riverside Park addition, and the Sioux river, and

conveying same to Mina McGinnis, Margaret J. Harm, Olaf Oien; between block 3 and the Sioux river and the north and south alley in block 3, and granting same to Benjamin Trowl, M. M. Everts, Peter Nelson and Frank T. Whitcher. Passed March 15, 1904.

SEC. 69. Vacating the east and west alley between lots 9 and 10, Buxton's subdivision of C. B. Rustin & Company's addition; and the alley running east and west between lots 9 and 10, block 62, Sioux City East addition, and the alley running north and south between lots 4, 5 and 6; and lots 7, 8 and 9, block 27, Higman's Second addition; and the alley running north and south between lots 1, 2 and 3 and lots 4, 15 and 16, block 10, Crescent Park addition, and granting the alleys vacated to the Independent School district of Sioux City, in exchange for land for alleys elsewhere. Passed April 12, 1904.

SEC. 70. Vacating all that portion of Glass avenue in Henrietta place, north of Orleans avenue and south of Garretson avenue, lying between blocks 5 and 6, Henrietta place, and granting same to Independent School district of Sioux City.

All that part of said street lying south of said alley and north of Orleans avenue and situated between lot 6, block 5, and lot 20, block 6, Henrietta place, appropriated and dedicated for a public park. Passed June 7, 1904.

SEC. 71. Vacating east and west alley in block 66, Sioux City East addition, and granting same to Jennie T. Charles. Passed July 26, 1904.

SEC. 72. Vacating south 40 feet of West First street, lying west of the west line of Main street projected, and granting same to John Kudrle and Howard M. Benson, in consideration of right of way for sewer. Passed August 23, 1904.

SEC. 73. Vacating alley lying over and along the south 10 feet of lot 2, block 24, Floyd City addition, and granting same to Sioux City Stock Yards Company. Passed October 25, 1904.

SEC. 74. Vacating that portion of the alley between Chambers and Prospect streets, in Floyd City addition, lying between lots 1, 2 and 3, and lots 10, 11 and 12, block 24, and granting same to Sioux City Stock Yards Company. Passed November 1, 1904.

SEC. 75. Vacating those portions of Peters avenue, First avenue and Swift avenue, and the alley running north and south through block 12, in West Morningside addition, which lie west of a line

through said avenues and alleys, which line is 150 feet east, at right angles from and parallel to the center line of the track of the Sioux City Bridge Company, adjacent to said avenues and block, and granting same to Sioux City Bridge Company. Passed December 20, 1904.

SEC. 76. Vacating all that portion of the alley in block 5, Stone's addition, lying between lots 1 to 6, inclusive, and 7 to 16; all that portion of alley in block 2, in said addition, lying between lots 11 and 12; all that portion of alley in block 1, in said addition, lying between lots 10 and 11, and granting same to I. N. Stone. Passed January 24, 1905.

SEC. 77. Vacating the north and south alley, lying between lot 6 and lots 7, 8, 9 and 10, James Collins' addition, from the north line of Hall street to a point where said alley intersects with Bacon Hollow, and granting same to A. J. Back. Passed February 14, 1905.

SEC. 78. Vacating the north 150 feet of the alley running north and south through block 19, Hedges Morningside addition, and granting same to E. B. Babcock. Passed February 21, 1905.

SEC. 79. Vacating the alley in block 86, Sioux City East addition, lying between lot 4 on the west and lots 5 and 6 on the east in said block; also that portion of Fourth street next east of Perry creek and north of block 86, Sioux City East addition, and southwest of a straight line extending from the northeast corner of said block 86, and extending northwesterly to the south angle of the east abutment of the bridge over Perry creek, from East Fourth street to West Third street; also a strip of ground 14 feet wide off the east side of Elm street, extending from the south line of West Third street southwesterly to the right of way of the Chicago, Milwaukee & St. Paul Railway Company. Said three parcels of ground being granted to Haley & Lang Company, their successors and assigns. Passed March 14, 1905.

SEC. 80. Vacating all the alleys in block 28, Middle Sioux City, and in blocks 45, 19, 22, 23, 24, 25 and 52, Central Sioux City; also the alley between block 1, Felt's addition, and that portion of block 1, Chase's addition, opposite thereto; that portion of the alley in block 5, Chase's addition, lying between lots 1 to 7, inclusive, and lots 10 to 16, inclusive; that portion of the alley in block 6, Chase's addition, lying between lot 2 and lots 3 to 6, inclusive; also that portion of Division, Pavonia, Prospect, Chambers, Morgan, Steuben, Lafayette and Clark streets, extending from the south line of Fourth street,

to a line along Third street, parallel with the north line of Third street, and 30 feet south thereof and distant therefrom, and granting same to the Iowa & Great Northern Railway Company, its successors, lessees or assigns, for its use in constructing, operating and maintaining road bed, railway tracks, depot grounds, or other terminal facilities for railroad purposes. Passed February 14, 1905.

SEC. 81. Vacating the north and south alley in block 2, Garretson Place addition, lying between lot 4, and the west one-third of lots 1, 2 and 3, in said block, and granting the east half of said alley to Clara A. Empey and the west half of said alley to E. A. Brown. Passed May 2, 1905.

SEC. 82. Vacating that portion of Washington street in Floyd City addition, lying between the east line of Prospect street, in said addition, and the Floyd river, and granting same to Sioux City Stock Yards Company. Passed June 27, 1905.

SEC. 83. Vacating alley lying between lots 3 and 4, Smith's Villa addition, for an entrance way to Children's park. Passed August 22, 1905.

SEC. 84. Vacating highways running through the southwest quarter of the southeast quarter of section 34, township 89, range 47, and granting same to Hawkeye Land Company. Passed September 5, 1905.

SEC. 85. Vacating that portion of the north and south alley, between lots 1, 2 and 3, and lots 20, 21 and 22, in block 11, Higman's Second Lowell addition to Sioux City, and granting same to Independent School district of Sioux City, in exchange for south 16 feet of lots 3 and 20, block 11. Passed September 5, 1905.

SEC. 86. Vacating the road known as the Smith Floyd river road as now located and laid out over and across the southwest quarter and the northwest quarter of section 14, township 89, range 47, so far as the same conflicts with its re-establishment as herein provided. That said road be and is hereby re-established and re-located as follows: Commencing at a point at the southwest corner of the southeast quarter of section 14, township 89, range 47, thence running north on the line running to the center of said section 14, thence northwest to an intersection with the said Floyd river road, at a point on the northwest quarter of said section 14, thence the same as formerly located. Passed September 12, 1905.

SEC. 87. Vacating a strip of land on the north side of Twenty-fourth street, between Pierce and Douglas streets, commencing at the southeast corner of lot 1, block 16, Hedges' addition, running thence south 6 feet, thence west to a point 6 feet south of the southwest corner of said lot 1, thence north 6 feet to the southwest corner of said lot 1, thence east to the place of beginning; and a strip of land on said Twenty-fourth street, commencing at the southeast corner of lot 1, block 4, in Vine Place addition, running thence south 6 feet, west to a point 6 feet south of the southwest corner of last described lot 1, thence north to the southwest corner of last described lot 1, thence east to the southeast corner of last described lot 1, thence south to the place of beginning, and granting first described strip to Sara Ferris, and second described strip to Unity Investment Company. If any buildings, except fences, are erected thereon, property reverts to city. Passed October 31, 1905.

SEC. 88. Vacating public highway between sections 10 and 11, township 89, range 47, extending south to the Floyd river road. Passed November 7, 1905.

SEC. 89. Vacating so much of the east and west alley as lies in the west half of block 43, Sioux City East addition, and granting the south 8 feet of so much of said alley as is vacated to W. B. and C. E. Palmer, and the north 8 feet to William Gordon. Passed December 5, 1905.

SEC. 90. Vacating the following described tract or parcel of ground, to-wit: Commencing at a point 46 feet, 6 inches, southwesterly, and 8 feet southeasterly of the northeast corner of West First and Bluff streets, Sioux City, thence northwesterly and parallel with the north line of West First street 25 feet, thence southwesterly and at right angles with said north line of West First street 25 feet, thence southeasterly and parallel with said north line of West First street 25 feet, thence northeasterly 25 feet to place of beginning, and granting same to trustees of the Synod of Iowa of the Presbyterian Church, for the purpose of erecting a monument. Provided, that if a monument, costing not less than \$2,000.00 is not erected within five years from the passage of this ordinance, property reverts to city. Passed March 13, 1906.

SEC. 91. Vacating the east and west alley in block 8, North Sioux City, and granting same to J. H. Kyhl, C. E. Eldredge, J. H. Hughes and W. A. Kifer. Passed March 27, 1906.

SEC. 92. Vacating the highway known as the Floyd river road, extending from its junction with the north line of the southeast quarter of the southeast quarter of section 22, township 89, range 47, along the west line of the right of way of the Willmar & Sioux Falls Railway Company to Twenty-eighth street, and granting same to Willmar & Sioux Falls Railway Company, in exchange for highway 66 feet wide. Passed May 22, 1906.

SEC. 93. Vacating all that portion of Market street in Sioux City, lying north of the north line of Seventeenth street, and granting same to D. T. Gilman, in exchange for ground for a public street. Passed June 19, 1906.

SEC. 94. Vacating all that portion of Dale street, lying west of a line parallel with the west line of lot 9, block 4, Galbraith's Second addition and distant 41 feet therefrom, and south of a line parallel with the south line of lot 11, block 5, in said addition and distant 63 feet at right angles therefrom, except such portion of Dale street heretofore vacated to G. B. Healy, and granting same to M. C. Davis, Sioux Trust Company and F. W. Lohr, in proportion as the same adjoins lot owned by each. Passed February 5, 1907.

SEC. 95. Vacating north and south alley in the south half of block 2, Sioux City proper, and granting same to Philip J. Garrigan. Passed February 19, 1907.

SEC. 96. Vacating the alleys lying between blocks 4, 5 and 11, and between blocks 6 and 7 in Fourth Street addition Second filing; also a portion of Central avenue in said addition, and granting same to Fred W. Estabrook, in exchange for south 40 feet of block 6 and all of lots 3, 4 and 5 in block 7, for highway purposes. Passed April 2, 1907.

SEC. 97. Vacating east and west alley through block 22, North Sioux City, and granting respective halves of same to James A. Baxter and R. H. Burton-Smith. Passed April 30, 1907.

SEC. 98. Vacating that portion of the alley in block 64, Leeds Second filing, extending from the north line of lots 7 and 14, in said block, south to Leeds boulevard, in Leeds, and granting same to Philip J. Garrigan, in exchange for strip of ground 16 feet wide for alley. Passed May 14, 1907.

SEC. 99. Vacating that portion of the alley running east and west between lots 3 and 4, in block 58, Sioux City East addition, and granting same to Philip J. Garrigan. Passed June 4, 1907.

SEC. 100. Vacating that part of the east and west alley in block 9, of Floyd City addition, extending from the east line of the north and south alley in said block, to the Floyd river, and granting same to Humphrey Statter. Passed June 4, 1907.

SEC. 101. Vacating the north one-half of the north and south alley in block 5, Tredway's addition to Sioux City, and granting same to C. W. Mower. Passed September 17, 1907.

SEC. 102. Vacating so much of First street as lies between Steuben and Lafayette streets, and between the south line of lots 9 and 16, inclusive, block 32, Central Sioux City, and the right of way of the Sioux City Bridge Company and granting the same to the Sioux City Terminal Elevator Company. Passed September 17, 1907.

SEC. 103. Vacating the alley lying between lots 1 and 2, block 8, Chase's addition to Sioux City, and granting same to Sophina E. Polley. Passed November 12, 1907.

SEC. 104. Vacating the west 20 feet of Helen avenue, being that portion only of Helen avenue, lying immediately east of and in front of lot 12, block 4, Hedges' Table addition to Sioux City, Iowa, and consisting of a strip of land in front of said lot 12, twenty feet in width, and granting same to A. H. Little, the owner of said lot 12. Passed December 3, 1907.

SEC. 105. Vacating the south 120 feet of the north and south alley in block 13, Hedges' Morningside addition to Sioux City, and granting same to abutting property owners. Passed March 31, 1908.

SEC. 106. Vacating all that part of fractional block 45, in Sioux City proper, described as follows, to-wit: All that part of fractional block 45, lying south of the line, beginning on the north line of West Third street, 10 feet east of the southwest corner of said block 45, and thence in a straight line to a point on the north line of Fourth street 10 feet west of the southeast corner of block 87, in Sioux City East addition, in Sioux City, Iowa, save and except that part of the aforesaid parcel of land now used and occupied for street purposes, and bounded and described as follows, to-wit: Commencing at a point on the north line of West Third street, 40 feet east of the southwest corner of block 45, Sioux City proper, thence southeasterly along the north line of West Third street, 46 feet to the intersection of the north line of West Third street and the north line of Fourth street; thence east along the north line of Fourth street 19 feet and 6

inches to a post, at an angle in the hand rail on the north side of the bridge over Perry creek; thence westerly twenty-two feet to the angle in the west abutment of said bridge, four feet at right angles north of the north line of West Third street; thence westerly forty-one feet to the place of beginning, and granting same to Fred W. Estabrook, the present owner of all said block forty-five (45). Passed May 12, 1907.

SEC. 107. Vacating that portion of Fifth street described as follows: to-wit: Commencing at the intersection of the west bank of the Floyd river, with the north line of lot 12, in block 2, Fourth Street addition to Sioux City, running thence west along the south side of Fifth street to the northwest corner of lot 14 in said block 2, thence running due north to the Floyd river, thence in a southeasterly direction along the west bank of the Floyd river to the place of beginning, and granting same to Dr. E. R. Baker. Passed May 26, 1908.

SEC. 108. Vacating the alley in block 2, running in a northeasterly and southwesterly direction in block 2, Leeds Second filing, which alley runs parallel to Floyd avenue and granting same to Henry Howder. Passed August 4, 1908.

SEC. 109. Vacating the north 60 feet of Van Buren avenue, lying between blocks 79 and 84, Leeds Second Filing, and the west 20 feet of Central avenue lying between blocks 79, Leeds Second Filing and 61, Leeds addition, and granting same to the owner of lot 8, block 79, Leeds Second Filing, in exchange for said lot 8, block 79, Leeds Second Filing. Passed March 30, 1909.

SEC. 110. Vacating a strip of ground  $11\frac{1}{2}$  feet wide on the east side of Wall street, from the south line of Fourth street to the north line of the east and west alley in block 27, and also vacating a like strip of ground on the west side of Wall street from the south line of Fourth street to the north line of the east and west alley in block 26, Middle Sioux City, and granting the same to the abutting property owners. Passed April 6, 1909.

SEC. 111. Vacating the east and west alley in block 18, Holman's addition, and granting same to the abutting property owners. Passed April 13, 1909.

SEC. 112. Vacating so much of the south half of Second street as abuts upon the west two-thirds of lot 7, block 13, Middle Sioux City, and granting same to W. S. Gilman. Passed April 13, 1909.



SEC. 113. Vacating a strip of ground on the east side of Wall street  $11\frac{1}{2}$  feet wide, extending from the south line of the east and west alley in block 27, Middle Sioux City, and abutting on lots 10, 11 and 12, in said block 27, and granting same to Charles C. Strange, the Iowa State National Bank and Chicago, St. Paul, Minneapolis & Omaha Railway Company. Passed April 13, 1909.

SEC. 114. Vacating alley lying between lots 7 and 8, block 7, Table addition, and granting same to abutting property owners. Passed July 6, 1909.

SEC. 115. Vacating the east and west alley through block 29, Middle Sioux City, from the west line of Clark street to the east line of Howard street, and granting same to the Dubuque & Sioux City Railroad Company, for railroad purposes. Passed August 31, 1909.

SEC. 116. Vacating that portion of the east one-half of the north and south alley in block 16, Middle Sioux City, abutting on lot 6, and all that portion of lot 5 now owned by the Chicago, St. Paul, Minneapolis & Omaha Railway Company; that portion of the east one-half of the north and south alley in block 17, Middle Sioux City, abutting on that portion of lot 2 now owned by the Chicago, St. Paul, Minneapolis & Omaha Railway Company; all of the north and south alley in block 11, Middle Sioux City, and lying between lots 7 and 8, and the north 8 feet of lot 9 on the west, and lots 5 and 6, and the north 8 feet of lot 4 on the east, in said block; all of the north and south alley in block 10, Middle Sioux City, and lying between lots 7 and 8, and the north 8 feet of lot 9 on the west, and lots 6 and 5, and the north 8 feet of lot 4 on the east in said block; all of the north and south alley in block 10, Orchard Hill addition; all of the north and south alley in block 11, Orchard Hill addition, and lying between lots 9 and 10, and that portion of lot 11 now owned by the Chicago, St. Paul, Minneapolis & Omaha Railway Company on the west and lots 6, 7 and 8 on the east in said block; the street lying between blocks 9 and 10, Orchard Hill addition; the street lying between blocks 10 and 11, Orchard Hill addition; Clark street from the south line of the right of way of the Sioux City Traction Company to the north line of Nineteenth street as altered; the alleys in the east one-half of blocks 97 and 100, and all the alleys in block 112, Sioux City East addition; that portion of Twelfth street lying between the east one-half of block 100 on the north and the east one-half of block 112 on

the south, Sioux City East addition; Thirteenth street lying between the east one-half of block 97 on the north and the east one-half of block 100 on the south, Sioux City East addition; the west one-half of Howard street from the north line of Seventh street to the south line of Eleventh street and the west one-half of Howard street from the north line of Eleventh street to the north line of Sioux City East addition; granting all the foregoing streets and alleys, or parts thereof to the Chicago, St. Paul, Minneapolis & Omaha Railway Company.

Also conveying to the Chicago, St. Paul, Minneapolis & Omaha Railway Company, the following streets, alleys and parts thereof, heretofore vacated for railroad purposes; that portion of Eighth, Ninth and Tenth streets, lying between Wall and Howard streets; also all of the alleys in blocks 115, 126 and 129, and the north and south alley in the north one-half of block 140, and the east and west alley in the east one-half of block 140, all in Sioux City East addition; that part of Jennings street lying between the north one-half of block 20 on the east and the north one-half of block 21 on the west, Middle Sioux City; the west one-half of Howard street from the south line of Seventh street to the north line of Fourth street, Middle Sioux City; the alleys in the east one-half of blocks 30, 41 and 44, Middle Sioux City; all that part of Fifth street, lying between the east one-half of block 30 on the south and the east one-half of block 41 on the north, Middle Sioux City; all that part of Sixth street lying between the east one-half of block 41 on the south and the east one-half of block 44 on the north, Middle Sioux City; all of the alleys in blocks 10 and 11, Middle Sioux City, and lying north of the Sioux City & Pacific Railroad line; the alleys in the north one-half of blocks 19, 20 and 21, Middle Sioux City. Passed August 31, 1909.

SEC. 117. Vacating the east and west alley in block 15, lying between lots 12 and 15, in said block, and granting same to R. P. Brown, in exchange for the south thirty feet of lots 8 and 9, block 15, all in Holman's addition. Passed September 7, 1909.

SEC. 118. Vacating that portion of Kansas street lying north of West Third street and south of Perry creek, except that portion now occupied by the right of way of the Chicago, Milwaukee & St. Paul Railway Company and the Sioux City Traction Company; the east one hundred feet of the east and west alley in block 39, and the west one-half of the east and west alley and the north one-half

of the north and south alley in block 44, Sioux City proper, and granting all of said vacated streets and alleys unto L. W. Mallory, his successors and assigns, except that portion of Kansas street lying north of the right of way of the Sioux City Traction Company and south of Perry Creek, and said portion is conveyed to the Bekin Van & Storage Company. This vacation and grant upon condition that the said L. W. Mallory, his successors and assigns, shall erect, or cause to be erected, within two years from the final passage of this ordinance, either a cold storage plant or an artificial ice making plant, the actual value of which shall be not less than \$100,000.00, and in case such a plant is not so erected within said time, then said street and alleys shall revert to the city. Passed November 16, 1909.

SEC. 119. Vacating the east and west alley in block 1, Arlington Heights addition and the east and west alley in block 4, Rederich's addition, and conveying same to the abutting property owners. Passed November 16, 1909.

SEC. 120. Vacating the northeast half of Jefferson avenue lying between blocks 94 and 95, all of that portion of Monroe avenue lying between blocks 94 and 85, all that portion of Madison avenue lying between blocks 85 and 84, and the southwest half of Van Buren avenue lying between blocks 84 and 79, Leeds, together with so much of the aforesaid avenues as lies in the alley to the southeast of blocks 84, 85 and 94, and the alley lying adjacent to said blocks 84, 85 and 94 on the southeast, and conveying same to P. H. Dymont. Passed December 7, 1909.

SEC. 121. Conveying all of that part of Twenty-first street from Clark street to the west line of the right of way of the Sioux City Traction Company, and all that part of the alley south of Twenty-second street to the northwesterly line of the right of way of the Sioux City Traction Company, now the Sioux City Service Company, in block 6, Orchard Hill addition, to the Sioux City Seed & Nursery Company, to correct erroneous description in an ordinance passed March 4, 1902, vacating portion of said street and alley. Passed January 11, 1910.

SEC. 122. Vacating the north and south alley in block 4, Holman's addition, and conveying same to the abutting property owners. Passed February 1, 1910.

SEC. 123. Vacating the east and west alley in block 4, Holman's

addition, and conveying same to the Sioux City board of park commissioners for park purposes. Passed February 1, 1910.

SEC. 124. Vacating a strip of ground on the west side of Wall street, 11½ feet wide, extending from the south line of the east and west alley in block 26, Middle Sioux City, to the north line of Third street and abutting on lots 1, 2 and 3, in said block 26, and granting same to abutting lot owners. Passed February 16, 1910.

SEC. 125. Vacating all of Thirty-fifth street lying west of Miller avenue and east of the west line of lot 24, projected, block 8, Cedar park addition; also all of that portion of the east and west alley in block 9, Cedar park addition, lying west of Miller avenue, and east of the west lines of lots 3 and 24, block 9, Cedar Park addition, and conveying same to the owner of the abutting lots. Passed March 15, 1910.

SEC. 126. Vacating all that portion of Miller avenue lying north of Thirty-fifth street and south of the east and west alley in block 8, projected, Cedar Park addition, and conveying same to the owners of abutting property. Passed March 15, 1910.

SEC. 127. Vacating the following described portion of Third street, to-wit: commencing at a point on the west line of Park street, 65 feet north of the northeast corner of lot 2, in block 46, Sioux City proper, and thence running east on a line parallel with the north line of said lot 2, projected 80 feet to the east line of Park street; thence running to the handrail at the northwest corner of the bridge over Perry creek on said Third street as now erected and in place; thence north to the center line of the channel of Perry creek, thence northwesterly along the center line of the channel of Perry creek to its intersection with the west line of Park street projected; and thence south on said west line of Park street to the place of beginning, and granting same to the Sioux City Brewing Company on certain conditions. Passed March 15, 1910.

SEC. 128. Vacating the west 150 feet of the east and west alley in block 61, Sioux City East addition, and conveying same to the owners of abutting property. Passed March 29, 1910.

SEC. 129. Granting to the Dumbarton Realty Company of Sioux City, Iowa, every right, title and interest of the city in and to the property lying between the west line of Court street extended to the Missouri river, and the west line of Jones street extended to the Missouri river and south of the 1889 bank of the Missouri river as

that bank was found and established by the final decree in the cause in the district court of Woodbury county, Iowa, entitled Dumbarton Realty Company vs. E. Erickson, et al., being consolidated cause No. 22978 equity; the property hereby granted being accretion lands made by the natural action of the Missouri river to certain streets and alleys of the city, and being the property decreed to belong to the city of Sioux City in the said cause. There is, however, excepted and reserved to the city of Sioux City for street and alley purposes so much of the property described as is included in the extensions of the following streets and alleys, to-wit: Jennings street, Virginia street and Court street extended to the Missouri river, Grand street extended west to Jennings street so extended, Dace street extended west to Virginia street so extended, and the north and south alleys in original blocks 24, 26, 27 and 39 of East Sioux City restored, re-established and extended south to the Missouri river. The foregoing grant is made for the purpose of securing the adjustment and restoration of the streets and alleys described, and in consideration of the conveyance to the city of Sioux City, by the Dumbarton Realty Company, of all its rights, titles and interests in and to the said street and alley extensions. Passed March 29, 1910.

SEC. 130. Conveying to C. W. Burr all of that portion of Cleveland street lying north of Dodd street extended, abutting on the east one-half of blocks 1 and 14, Table addition. Passed March 29, 1910.

SEC. 131. Vacating the alley extending east and west between Morningside avenue and lot 11, block 4, Holman's addition, which alley is 16 feet in width, and north of lot 7, in said block 4; dedicating this and also that part of the alley extending north and south heretofore vacated, between Morningside avenue and the north line of lots 10 and 7, for park purposes. Passed August 6, 1910.

SEC. 132. Vacating that portion of the alley extending north and south between lots 7, 8, 9 and 10, block 4, Holman's addition, and granting same to the owners of the abutting property. Passed August 6, 1910.

SEC. 133. Vacating the alley extending east and west between lots 9 and 10, block 17, Cole's addition, and the west forty feet of Pacific street between Eighth and Ninth streets, and dedicating the same for park purposes. Passed October 1, 1910.

SEC. 134. Vacating the portion of Powlesson road commencing at the point where Turner street, if extended, would intersect

said road, and continuing to the point where said Powlesson road intersects West Boulevard street, and establishing in lieu thereof a road commencing at the point where Turner street, if extended, would intersect the old military road and continuing due north to a point where the same intersects the said Powlesson road, that portion of said roads vacated, changed and re-established being within the boundaries of the northeast quarter of section 19, township 89, range 47. Passed August 6, 1910.

SEC. 135. Vacating the triangle strip of ground, beginning at a point which is fourteen feet east and forty-four feet south from the northeast corner of Jay and Cecelia avenues; thence south parallel with the center line of Cecelia avenue sixty-nine and one-half feet; thence in a northwesterly direction parallel with the south curb line on Morningside avenue and thirty feet distant therefrom, ninety-seven feet; thence east parallel with the north line of Jay avenue and forty-four feet distant therefrom, sixty-seven and one-half feet to the place of beginning, and dedicating same to park purposes. Passed December 10, 1910.

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### REVERSION TO CITY OF SIOUX CITY.

AN ORDINANCE declaring a reversion to the city of Sioux City, Iowa, of that portion of the alley lying and being between lots one (1) and two (2) and eleven (11) and twelve (12) in block twenty-six (26), Sioux City East addition to the city of Sioux City, Woodbury county, Iowa, heretofore vacated and granted to the Sioux City Terminal Railroad & Warehouse Company.

Whereas, by ordinance No. 5572, passed March 14, 1891, and approved March 21, 1891, of said city, there was vacated a certain alley between lots one (1) and two (2) and eleven (11) and twelve (12), block twenty-six (26), Sioux City East addition, an addition to said city, and the same was granted to the Sioux City Terminal Railroad & Warehouse Company, its successors and assigns, for its use in constructing and maintaining a roadbed, railway tracks, depot grounds, or other terminal facilities for railroad purposes, and

Whereas, section 3 of said ordinance provided that should the said Sioux City Terminal Railroad & Warehouse Company, its successors, lessees or assigns, cease to use the said alley so vacated and granted for the purpose hereinbefore specified for the period of one

(1) year, it was especially conditioned and understood that such alley should revert back to the city of Sioux City, and

Whereas, the said Sioux City Terminal Railroad & Warehouse Company was the owner at the time of said vacation of the said lots one (1) and two (2), eleven (11) and twelve (12), block twenty-six (26), Sioux City East addition, an addition to the city of Sioux City, but has since disposed of the same to parties for the erection thereon of large mercantile buildings, and

Whereas, said Sioux City Terminal Railroad & Warehouse Company has never constructed or maintained a roadbed or railway tracks, or used said alley for depot grounds, railway tracks, terminal facilities, or for the purpose of operating railroad tracks, or in connection with any depot, station house, or other structures used for railroad or terminal facilities, and has allowed said alley to be used by the owners of said lots exclusively for the purpose of themselves and their patrons in going to and from the building situated thereon, and

Whereas, the Sioux City Terminal Railroad & Warehouse Company has abandoned the use of said alley, and has ceased to use the same for more than a year, and has never used the same for the purpose for which it was granted to it under said ordinance No. 5572, *Now, therefore, be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the alley between lots one (1) and two (2) and eleven (11) and twelve (12), block twenty-six (26), Sioux City East addition, an addition to the city of Sioux City, Woodbury County, Iowa, having never been used by the Sioux City Terminal Railroad & Warehouse Company, its successors, lessees or assigns, for the purposes for which the same was vacated and granted under ordinance No. 5572, of this city, has reverted back to the city, and hereafter shall belong thereto in the same manner as if said ordinance No. 5572 had never been passed, approved, or taken effect.

SEC. 2. This ordinance shall take effect and be in full force from and after its publication.

Passed February 1, 1910.

### RIGHTS OF WAY TO RAILROADS.

Many ordinances granting rights of way over and across streets, alleys and public grounds of Sioux City, have been passed from time to time by the city council. These ordinances, which are recorded in the office of the city clerk, are long and not of general interest, and as most of them have been printed in full in the two compilations of the ordinances of Sioux City heretofore made, it is considered unnecessary to include them in this compilation. For purposes of reference, the streets, alleys and public grounds over which right of way has been granted, the name of the railroad and the date of passage of each ordinance is given, together with streets, alleys and public grounds, or parts thereof, granted to railroads in these ordinances, each section representing a separate ordinance and grant.

#### **Chicago, St Paul, Minneapolis & Omaha Railway Company.**

SECTION 1. Granting to the Chicago, St. Paul, Minneapolis & Omaha Railway Company, as provided by law, the right of way over and across the following streets and alleys in the city of Sioux City, to-wit: Across the alleys in block twenty-seven (27), in Middle Sioux City, across Third and Wall streets at their intersection in Middle Sioux City, across the alley in the north half of block seventeen (17), in Middle Sioux City, across Iowa street between the north half of blocks seventeen and eighteen (17 and 18), in Middle Sioux City, across the alley in the north half of block eighteen (18), in Middle Sioux City, across Court street between the north half of blocks eighteen and nineteen (18 and 19), in Middle Sioux City, across the alley in the north half of block nineteen (19), across Virginia street between the north half of blocks nineteen and twenty (19 and 20), in Middle Sioux City, across the alley in the north half of block twenty (20), in Middle Sioux City, across Jones street between the north half of block twenty-one (21), in Middle Sioux City, and block twenty-five (25), in Sioux City East addition, across Jennings street between the north half of blocks twenty and twenty-one (20 and 21), in Middle Sioux City, across Third street between blocks three and twelve (3 and 12), in Middle Sioux City, across Iowa street, in Middle Sioux City and Fourth street in East Sioux City, between blocks three and four (3 and 4), in Middle Sioux City, and blocks thirty-five and thirty-six (35 and 36), in East Sioux City, across Grand street between blocks twenty-nine and thirty-six (29 and 36), in East



Sioux City, across Dace street between blocks twenty-three and twenty-nine (23 and 29), East Sioux City, across Leech street between blocks sixteen and twenty-three (16 and 23), in East Sioux City, across Washington street between blocks thirteen and sixteen (13 and 16), in East Sioux City, across the alleys in block thirteen (13), in East Sioux City, Iowa, and across the alleys running east and west through blocks sixteen (16), twenty-three (23), and twenty-nine (29), in East Sioux City. Passed January 10, 1882.

SEC. 2. The alley running north and south through the north half of block twenty-one (21), in Middle Sioux City; so much of Eighth street as lies between blocks one hundred and twenty-nine and one hundred and forty (129 and 140), in Sioux City East addition; so much of Ninth street as lies between blocks one hundred and twenty-six and one hundred and twenty-nine (126 and 129), in Sioux City East addition; so much of Tenth street as lies between blocks one hundred and fifteen and one hundred and twenty-six (115 and 126), in Sioux City East addition; and all the alleys in blocks one hundred and fifteen (115), one hundred and twenty-six (126), and one hundred and twenty-nine (129), and the north half and the southeast quarter of block one hundred and forty (140), in Sioux City East addition, be and the same are hereby vacated, and the same are hereby granted to the said Chicago, St. Paul, Minneapolis & Omaha Railway Company, upon the terms and conditions in this ordinance contained. Passed January 5, 1882.

SEC. 3. So much of Jennings street, in the city of Sioux City, as lies between the north half of block 20, and the north half of block 21, in Middle Sioux City, be and the same is hereby vacated for the use and benefit of the Chicago, St. Paul, Minneapolis & Omaha Railway Company, and the same is hereby granted to said company. Passed July 11, 1882.

SEC. 4. Granting to the Chicago, St. Paul, Minneapolis & Omaha Railway Company, Sioux City & Pacific Railroad Company, and to the Illinois Central Railroad Company, and such other railroad companies as shall join in the construction or maintenance of railway tracks thereon as hereinafter provided, a right of way for the construction of not more than two railway tracks over, across and along the following streets and alleys: Commencing and connecting with the railway tracks of the said companies, or each or any of them, in Howard street, Sioux City, at some convenient point between

the south line of Second street and the north line of Grand street, and also connecting with the railway tracks of any of said roads in First street west of Howard street, and thence from any such points of connection made in Howard street, north or south as may be necessary, along and over the east side of Howard street, to its intersection with First street, and from any such point of connection made in First street west of Howard street, over, upon and along First street to its intersection with Howard street, thence easterly over, upon and along First street in Sioux City, Iowa, and upon the south side of said street, after reaching the center of Lafayette street, to the center of Division street, Sioux City; also the right of way for one or two tracks from convenient points of connection with the aforesaid right of way in First street, south upon and along Division street and Pavonia street to the Floyd river and Prospect street to the center line of Leech street, and over and across the streets and alleys intersecting the above granted right of way, and the said companies are hereby authorized and empowered to locate, construct, maintain and operate their railroads with one or two tracks upon and along such streets and alleys. Passed July 17, 1885.

SEC. 5. Granting to the Chicago, St. Paul, Minneapolis & Omaha Railway Company, the Illinois Central Railroad Company, the Sioux City & Pacific Railroad Company, and the Chicago, Milwaukee & St. Paul Railway Company, and such other railway companies operating roads in Sioux City, Iowa, as shall desire to come in and pay its *pro rata* share of construction and maintenance of tracks thereon, a right of way for a single or double track and for operating the same from a point on the west line of Chambers street so as to connect with the railroad track now constructed, running on the north side of the main bulding of the Booge Packing Company where the same is now located, or so as to connect therewith, should the said track be changed to any point further north at any point between Dace and Leech streets, and thence from such point of connection curving northeasterly across Chambers street, Leech street and Prospect street and the alleys in block ten (10), in Floyd City, to a point of connection in Prospect street with the railway tracks authorized by an ordinance passed July 17, 1885; also a right of way for a single or double track from the east side of Chambers street so as to connect with the railroad track now constructed south of the main building of the Booge Packing Company, thence in a curve northeasterly

across Chambers street, Leech street and Prospect street, and the alleys in block nineteen (19), in Floyd City, to a point of connection with the track constructed by the Chicago, Milwaukee & St. Paul Railway Company in Prospect street, and under an ordinance passed May 4, 1884, under certain conditions. Passed December 3, 1885.

SEC. 6. Granting to the Chicago, St. Paul, Minneapolis & Omaha Railway Company the right of way for the location, construction and operation of a railway track from a point of junction with the track of the Sioux City Bridge Company, in First street, between the east half of blocks thirty-four (34), and forty-one (41), in Central Sioux City; thence east along First street and the intersections thereof with Chambers, Prospect and Pavonia streets, to a point in said First street between blocks thirty-seven (37) and thirty-eight (38), Central Sioux City; the right of way here granted to be adjoining on the north the right of way of the Sioux City Bridge Company, and to be of sufficient width for the construction and safe operation of a railway track thereon, to be from fourteen (14) to sixteen (16) feet from center to center of said Sioux City Bridge Company track. Passed May 3, 1892.

SEC. 7. Granting to the Chicago, St. Paul, Minneapolis & Omaha Railway Company the right of way over, upon and along the north fifteen feet of First street and across Wall street at its intersection with First street, from a point of intersection with the right of way granted to the Sioux City Bridge Company by ordinance passed June 15, 1887; thence westerly along First street to a point of intersection with the right of way heretofore granted to the Chicago, St. Paul, Minneapolis & Omaha Railway Company by an ordinance passed January 10, 1882, between blocks three (3), and twelve (12), in Middle Sioux City. Passed May 8, 1891.

SEC. 8. Granting to the Chicago, St. Paul, Minneapolis & Omaha Railroad Company, the Sioux City & Pacific Railroad Company, the Dubuque & Sioux City Railroad Company, and the Chicago, Milwaukee & St. Paul Railroad Company, and to such other railroad companies as shall join in the construction or maintenance of a railway track thereon, as herein provided, a right of way for the construction of a railway track over, across and along the following streets and alleys: Commencing at a point of junction in Chambers and First streets, thence along First street not exceeding sixteen feet from center to center of track now constructed, leading to the

Union Stock Yards track, until it strikes Prospect street, and thence along Prospect street, not exceeding sixteen feet from center to center of the track now constructed, to Dace street, all in Sioux City, Iowa ; and over and across the streets and alleys intersecting the above granted right of way ; and said companies are hereby authorized to locate, construct, maintain and operate their railroad upon and along such streets and alleys. Passed February 4, 1890.

SEC. 9. That so much of Eleventh street as lies between the east line of Wall street and the east line of Howard street, in Sioux City East addition, be and the same is hereby vacated in so far as the same is necessary for the purposes herein stated. That the exclusive use and occupation of that portion of Eleventh street vacated, as provided in section 1 of this ordinance, be and the same is hereby granted to and conferred upon the Chicago, St. Paul, Minneapolis & Omaha Railway Company, for the purpose of constructing, operating and maintaining thereon its engine house, railway tracks, side tracks, way, material, workshops, and for using the same for all purposes connected with their machine and repair shops upon the adjacent property thereto. Granted upon certain conditions. Passed May 27, 1890.

SEC. 10. Granting to Chicago, St. Paul, Minneapolis & Omaha Railway Company right of way for switch and side track as follows: Commencing at a point on the main line of said railroad company 170 feet north from the north line of Grand street and running thence in Howard street and across Grand street in a southeasterly direction with a 7 degree and 55 minute curve, and a 9 degree and 24 minute curve to a point in Howard street 18 feet south of the south line of Grand street, and 16 feet, 4 inches west from the east line of Howard street, thence running south along Howard street parallel with and 16 feet, 4 inches from the east line thereof to a point directly opposite the north line of the east and west alley in block 32, East Sioux City addition. Passed April 10, 1900.

SEC. 11. Granting to Chicago, St. Paul, Minneapolis & Omaha Railway Company right of way as follows: (a) A right of way for a single spur track upon, across and along Third street, in said city, occupying a width of thirty feet, the center line of said right of way being more particularly described as follows: Commencing on the east line of Wall street, at a point fifteen feet south of the north line of Third street, thence in a westerly direction, on a line parallel with the

north line of Third street, across Wall street and Iowa street, to the west line of Iowa street; thence in a westerly direction on a 6 degree curve to the left, a distance of 123.33 feet; thence westerly, tangent to last described course 70.53 feet; thence westerly on a 6 degree curve to the right, 123.33 feet, to a point on the center line of Third street at its intersection with the east line of Court street; thence westerly along the center line of Third street, across Court street, Virginia street and Jennings street, to the east line of Jones street, to a connection with the spur track of the Iowa and Great Northern Railway Company. (b) The right to lay down, maintain and operate such spur tracks connecting with the main spur track mentioned and described above as may be necessary to serve the abutting property on the north side of Third street, provided, that not more than one such track shall be constructed to each block abutting on said Third street. All spur tracks leading from the main spur track herein provided for shall be so laid and constructed that cars placed thereon, inside the curb line, shall leave not less than 3 feet clearance between such cars and the curb line, except the spur track between Jennings street and Jones street will be so laid that the center line of said track shall parallel the curb line on the north side of said street at a distance of 6 feet and 10 inches therefrom. Passed February 14, 1905, and amended March 22, 1910.

SEC. 12. Granting to the Chicago, St. Paul, Minneapolis & Omaha Railway Company, a right of way to lay down, maintain and operate a single spur track upon and along the north and south alley in block 41, Middle Sioux City, and also to extend said track across Fifth street, provided that said spur track shall not be laid on Fifth street at any point west of the west line of the north and south alley in said block 41, Middle Sioux City projected. Passed March 29, 1910.

### **Sioux City & Pembina Railway Company.**

SECTION 1. Granting to Sioux City & Pembina Railway Company right of way over and along the following streets, alleys, and public grounds: Beginning at a point in Sioux City proper on the west side of Iowa street, between blocks 6 and 7; thence across the alley in north part of said block 7; thence across Second and Main streets at their intersection; thence across the alleys in block 17; thence across Sioux street between blocks 17 and 20; thence across Third

street between blocks 20 and 21, and across the alley in block 21; thence across Market street between blocks 21 and 28; thence across Bluff street between blocks 28 and 33 to a point two feet south from the northwest corner of block 33; thence along the edge of Fourth street along block 33, not using more than ten feet of the south side of said street next to block 33; thence across Perry street near its intersection with Fourth street to a point eleven feet south from the northwest corner of block 39; thence across the alley in block 39; thence across Kansas street to a point 93 feet from the southwest corner of block 44; thence across the alley in block 44, at the southeast corner of lot 6, in block 44; thence across Third street, between blocks 44 and 43, to a point 75 feet east from the northwest corner of lot 12 in block 43; thence across Third street, Sioux City East addition, at a point nine feet east from the east main bend of the bridge now across Perry creek on said street; thence across Water street, starting from a point 100 feet north from the southeast corner of lot 9, in block 31; thence across Second street to the levee, over and along the levee eastward, south of the line of railroad tracks now located thereon, but as near to said tracks as safety will permit, with the same other privileges and restrictions on the levee granted to other railroads, to a junction with the several railroads that now have a right of way granted them on the said levee. Passed July 25, 1872.

#### **Iowa Falls & Sioux City Railroad Company.**

SECTION 1. Granting to Sioux City & Pacific Railroad Company the right to grant to Iowa Falls & Sioux City Railroad Company any of the following right of way heretofore granted to the Sioux City & Pacific Railroad Company: Beginning at the intersection of the east line of Pierce street with the south line of Second street and running thence east along the south line of Second street to Virginia street; thence south along the west line of Virginia street to the north line of First street, to the west line of Jones street; thence south along the west line of Jones street to the Missouri river; thence northwesterly along said river to the east line of Pierce street; thence north along the east line of Pierce street to the place of beginning, containing about 16.87 acres, within which boundaries are included blocks 8 and 9, in Middle Sioux City, and blocks 33, 34 and 35, in Sioux City East addition, and the grounds lying between the three blocks last mentioned and the Missouri river, and such parts of Jen-

nings, Jones, Jackson, Nebraska and First streets, as lie within the boundaries aforesaid, with certain other rights, privileges and property fully set forth in such ordinances and deeds. Passed September 6, 1870.

SEC. 2. Granting right of way to Iowa Falls & Sioux City Railroad Company for use and benefit of Illinois Central Railroad Company over the following streets, alleys and public grounds: Commencing at a point on the present track of the Iowa Falls & Sioux City Railroad Company, where said tract crosses Second street, in Middle Sioux City; thence running west across and along said Second street to the east side of Pierce street, in Sioux City East addition, on a line immediately north of the twenty-two feet of right of way heretofore granted on said Second street to the Sioux City & St. Paul Railroad Company, under ordinance number 63 of said common council; thence south on a line north and west of said line of the Sioux City & St. Paul Railroad Company, and thence across Pierce street, between blocks 32 and 33, in Sioux City East addition; and thence across the levee of said block 32 to the track of the Sioux City & Pacific Railroad Company, on said levee south of said block 32. Passed November 8, 1870.

SEC. 3. Vacating the following alleys and public grounds and granting same to Iowa Falls & Sioux City Railroad Company: The alleys in blocks 127, 128 and 141, Sioux City East addition, are hereby vacated. That portion of Eighth street between said blocks 127, 128 and 141, are hereby declared vacated; and that portion of Ninth street, between said blocks 127 and 128 is hereby declared vacated. Said Iowa Falls & Sioux City Railroad Company are hereby granted the right of way for railroad purposes of that part of Howard street bounded as follows: Eighteen feet along the east side of Howard street, from Tenth street in Sioux City East addition, to Seventh street, and the right of way 18 feet wide along said Howard street from Seventh street on the east side of said street, to Sixth street, in Middle Sioux City. Passed September 6, 1870.

SEC. 4. Granting to Iowa Falls & Sioux City Railroad Company right of way over the following streets and public grounds: Beginning at a point on their first constructed track in Howard street, between Third and Fourth streets, in Middle Sioux City, thence along Howard street to block 16; thence over the alleys therein, and the alleys in blocks 13 and 12; across Wall street to First street, near

Wall street; thence along First street westerly to its termination, and across the alley in blocks 6 and 7, in Middle Sioux City. Passed September 6, 1870.

SEC. 5. Granting to Iowa Falls & Sioux City Railroad Company right of way as follows: Beginning at the northern end of Howard street, in Middle Sioux City, at or near the north line of section 28, in township 89, north of range 47, west; thence south of Howard street to the point of tangent on the located line of said railroad, near the intersection of Fourth and Howard streets, in Middle Sioux City; thence by a curve of about 955 feet radius, through blocks 16, 12 and 11, in Middle Sioux City, and crossing Second, Third, Wall and Iowa streets, to a junction with the present line of Sioux City & Pacific Railroad, in or near block 11, in Middle Sioux City, and also from the point or tangent near the intersection of Fourth and Howard street aforesaid, south on Howard street to a point at or near the intersection of Second and Howard streets; thence by a curve of 1,433 feet radius, through blocks 14 and 1, in Middle Sioux City, and block 33, in East Sioux City, crossing Second and First streets, in Middle Sioux City, and Grand street in East Sioux City, and intersecting the present line of the Sioux City & Pacific Railroad at or near block 1 in Floyd City, and also to diverge by one or more tracks from said line in Howard street so as to reach by said divergence the northwest quarter of section 27, in township 89, range 47. Passed April 6, 1869.

SEC. 6. Granting to Iowa Falls & Sioux City Railroad Company for the use and benefit of the Illinois Central Railroad Company right of way for side track as follows: From the main line of track of the Iowa Falls & Sioux City Railroad Company into and upon the premises of the Sioux City Starch Company as follows, to-wit: Commencing at the point of intersection of Pleasant street, in Krummann's Lowell addition to Sioux City, Iowa, produced westward to the main line of the track of the Iowa Falls & Sioux City Railroad, running thence southeasterly and diagonally across the West Floyd River road (so-called) between said starting point and Central avenue in said addition, thence across Central avenue and Park avenue, in said addition, at right angles therewith and within twenty feet from the western end of said Central and Park avenues and into and upon the grounds and premises owned and occupied by the Sioux City Starch Company, of Sioux City, Iowa. Passed June 22, 1898.



**Sioux City & Pacific Railroad Company.**

SECTION 1. Granting to Sioux City & Pacific Railroad Company right of way as follows: On First street north of block 7, in Middle Sioux City. Also granting to said company the ground described as follows for the purpose of erecting and maintaining depots, stations, etc. Beginning at the east line of the intersection of Pierce street with the south line of Second street, and running thence east along the south line of Second street to Virginia street; thence south along the west line of Virginia street to the north line of First street; thence west along the north line of First street to the west line of Jones street; thence south along the west line of Jones street to the Missouri river; thence northwesterly along said river to the east line of Pierce street; thence north along the east line of Pierce street to the place of beginning, containing about 16.87 acres, within which boundaries are included blocks 8 and 9, in Middle Sioux City, and blocks 33, 34 and 35, in Sioux City East addition, and the grounds lying between the three blocks last mentioned and the Missouri river, and such parts of Jennings, Jones, Jackson and First streets as lie within the boundaries aforesaid. Passed February 12, 1869.

SEC. 2. Granting right of way to Sioux City & Pacific Railroad Company as follows: Over and across Iowa street, between the south half of block 12, and the south half of block 11, in Middle Sioux City. Passed October 14, 1884.

SEC. 3. Granting right of way to Sioux City & Pacific Railroad Company as follows: Commencing at the southeast corner of block 1 in Floyd City, at the intersection of said company's line, running thence on a curve southeast to the south side of Dace street; thence east along the south side of Dace street, across Steuben, Morgan, Chambers and Prospect streets; thence on a curve northeast to a point on the south line of lot 8, in block 6, in said Floyd City; also commencing at the southeast corner of lot 6, in block 6, in said Floyd City; thence north upon and along the alley running north and south through said block, across Grand street, north upon and along the alley between lots 1 and 2 and 15 and 16, in said block 6, and north upon and along the alley running north and south between lot 25 and lot 26, in block 39, in Central Sioux City, and north across the alley running east and west through said block 39. Passed June 10, 1884.

**Sioux City & St. Paul Railroad Company.**

SECTION 1. Granting to the Sioux City & St. Paul Railroad Company right of way as follows: From a point connecting with the right of way heretofore granted to said company, by ordinance passed February 9, 1869, at the east line of Pierce street; thence westward along and upon the south side of Second street, not more than twenty-two feet from the south line of Second street to the levee; thence westwardly along the levee, passing with north rail of said track not less than forty-seven feet south of the southeast corner of block 30, in Sioux City East addition, and continuing thence westerly along the north side of the track of the Sioux City & Pacific Railroad Company, as now located, and as near as practicable thereto, in order to connect with, and also to cross over the track of the Sioux City & Pembina Railroad Company and track leading to mill and elevator of H. D. Booge & Company, Sanborn & Follett, and Miles Davis, and crossing and connecting with the said tracks, and continuing thence westerly along the levee to such a point on the bank of the Missouri river west of Elm street as the company may select, not extending beyond Bluff street; and there is also granted to said company the right to locate, construct and maintain, operate and use a railway track from such point on the track above described as the company may select to the bank of the Missouri river, with such proper curvature and grade as may be necessary to reach the bank of said river, in proper position to cross the said river and transfer boat, ferry or bridge with their cars and engines. Passed February 20, 1873.

SEC. 2. Vacating the following streets and alleys and granting same to Sioux City & St. Paul Railroad Company: The west half of Howard street from the south line of Seventh street, in Middle Sioux City, to the north line of Fourth street, and from the south line of said Fourth street to the north line of Third street and also the alleys in the east halves of blocks 27, 30, 41 and 44, Middle Sioux City, and so much of Fifth and Sixth streets as are situated between the east halves of blocks 30, 41 and 44, and the alleys in blocks 10 and 11, and north of the Sioux City & Pacific Railroad Company. Passed February 9, 1868.

SEC. 3. Granting right of way to Sioux City & St. Paul Railroad Company as follows: Right of way 22 feet wide from the north line of Sioux City East addition, adjoining and along the west side of

the center line of Howard street to Third street, in Middle Sioux City, with the privilege to said company of carrying their line westward on said Howard street from the alley in block 140, Sioux City East addition, and thence across Seventh street, at its intersection with Howard street, to lot 6 in block 44, in Middle Sioux City, and across Fourth street between the east halves of blocks 30 and 27; and also the right from the north side of Third street, in Middle Sioux City, over said Howard street to the south side of First street, and across said First street, and across the alleys in the east and south half of block 27, in Middle Sioux City; thence across Third, Wall and Iowa streets, and the alleys in blocks 16 and 17, in Middle Sioux City; thence across and along the south side of Second street to Pierce street in Sioux City East addition; thence across the alleys in block 33, in said addition; thence across said Pierce street and across the levee lying south of block 32, in Sioux City East addition, thence along and adjoining the south side of the line of Sioux City & Pacific Railroad to the west line of Elm street in Sioux City. Passed February 9, 1869.

SEC. 4. Granting to Sioux City & St. Paul Railroad Company right of way as follows: Right of way thirty feet in width adjoining and along the west side of the center of Howard street, in Middle Sioux City, from the point of intersection of said Howard street, with Fourth street, in said Middle Sioux City, to the line between Middle Sioux City, and East Sioux City; thence continuing south along and adjoining the west side of the center line of Sixth street, in East Sioux City, to the Missouri river. Passed April 19, 1880.

#### **Chicago, Milwaukee & St. Paul Railway Company.**

SECTION 1. That so much of Jennings street as is situated between the south half of blocks 20 and 21, extending from the north line of Second street to the south line of the alleys running east and west through the aforesaid blocks, and so much of the alleys running north and south through blocks 19, 20 and 21, as are situated between the north line of Second street and the south line of the alleys running east and west through said blocks, in Middle Sioux City, be and the same are hereby vacated as public streets and alleys of the city of Sioux City. That the parts of streets and alleys above mentioned are granted and conferred upon the Chicago, Milwaukee & St. Paul Railway Company. Passed April 16, 1880.

SEC. 2. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way for purpose of operating their railway across Virginia street, in Middle Sioux City, at such points as they may desire between the north line of Second street and the south line of the alley running east and west through blocks 19 and 20, such number of railroad tracks as they may elect. Passed April 16, 1880.

SEC. 3. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way over the following streets, alleys and public grounds: From any point on lot 12, block 21, Middle Sioux City, running thence in a westerly direction along and across Second street, and across Jones and Jackson streets, in Middle Sioux City, and Nebraska and Pierce streets in Sioux City East addition, at their intersection with Second street, to a point east of the west line of Nebraska street and not more than forty feet north of the south line thereof; thence west along Second street not more than forty feet north of the south line of said Second street, and across Pierce street at its intersection with Second street or south thereof to lot 1, block 32, Sioux City East addition, and across the levee lying directly west and opposite of block 32 to the east line of Pearl street, extended to the river. Passed April 19, 1880.

SEC. 4. Granting right of way to Chicago, Milwaukee & St. Paul Railway Company, as follows: From the west line of Jones street, at its intersection with Second street, running thence in an easterly direction along and upon Second street on the north side of the street to the eastern limit of the city boundary, as now constituted, and across all the streets intersecting said Second street at the respective points of intersection upon the said line. Passed March 20, 1883.

SEC. 5. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way for single or double track, from the west line of Clark street, at its intersection with Second street, running thence in a southeasterly direction along and upon Second street to its intersection with Steuben street; thence running easterly along and upon the south side of Second street to the eastern limit of the city boundary, and across all the streets intersecting said Second street at the respective points of intersection upon the said line. Passed September 11, 1883.

SEC. 6. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way from the north line of First street, at such point or points, as said company may select, between lot 12, block

35, and lot 13, block 36, Central Sioux City; running thence across First street and along and upon Prospect street, upon the east side of said street, in a southerly direction, the east track to the intersection of said Prospect street with Leech street, the west track to a point said company may select, east of block 19, Floyd City; thence southwesterly across said Prospect street; thence westerly across and along the alleys in said block 19, and over and across Chambers street. And said railway company may locate, construct and operate two connecting switches between the said tracks at such places on said First and Prospect streets as said company may deem desirable. Passed May 14, 1884.

SEC. 7. Granting right of way to Chicago, Milwaukee & St. Paul Railway Company, as follows: A track connecting with the present track of said company on Second street at a point near lots 3 and 4, in block 32, Central Sioux City; thence southeasterly to a point upon the north line of said block 32; thence southeasterly three tracks upon, over and across Steuben street north of the center of block 33, Central Sioux City; also a track from the south line of block 34, Central Sioux City, southeasterly over, upon and across First street to a point at or within thirty feet of the intersection of the west line of Chambers street with the south line of First street, and these connected with a track now laid on First street. Passed December 3, 1885.

SEC. 8. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way for two tracks, as follows: One from such point as the said railway company may select intersecting the main track of said road in lot 10, block 39, Sioux City proper; running thence in a southeasterly direction across the alley in said block; thence across Kansas street to a point in lot 6, block 44, which said point shall be on the south side of said main track of said railroad company, and three feet north of West Third street; and one track from the said point of intersection in lot 10, block 39, Sioux City proper, running on the north side of the main track of said Chicago, Milwaukee & St. Paul Railway Company, in a southeasterly direction across the alley in said block 39; thence across Kansas street to a point in lot 6, block 44, which said point shall be north of said main track and at least three feet north of West Third street; that said track shall not be more than fifteen feet in distance from its center

to center of main track at and over Kansas street. Passed December 3, 1885.

SEC. 9. Granting Chicago, Milwaukee & St. Paul Railway Company right of way, as follows: One track intersecting the north main track of said railway company in Second street at a point east of Court street, that the said railway company may select not further than seventy-five feet east of Court street, running thence in a north-westerly direction along and across Second and Court streets to a point on the west line of Court street, which shall be north of the north line of Second street, such distance as said company may select, not exceeding twenty feet north of the southeast corner of block 19, Middle Sioux City. And one track intersecting the north main track of said railway company in Second street, at a point west of Jackson street, which said company may select, not more than ninety feet west of the west line of Jackson street, thence northeasterly over, along and across Second and Jackson streets, the north rail not nearer than six feet from the southeast corner of lot 9, in block 26, Sioux City East addition, to the east line of Jackson street at a point between ten and fifteen feet of the north line of Second street. Passed October 22, 1886.

SEC. 10. Granting to the Chicago, Milwaukee & St. Paul Railway Company right of way, as follows: One track intersecting the north main track of the said railroad company on Second street at a point 252 feet west of the west line of Division street; running thence in a northeasterly direction along and across Second and Division streets, the center of said track, where the same may cross the west line of Division street being seven feet south of the southeast corner of lot 16, block 26, Central Sioux City, and the center of said track, where the same crosses the east line of Division street shall be thirty and one-half feet north of the southwest corner of lot 17, block 53, Central Sioux City. Another track intersecting the track last above described at a point on Division street six and one-half feet southeast of the southeast corner of lot 16, block 26, Central Sioux City; thence running northeasterly, and south of the track last above described, across Division street to a point where the center of said track shall be nineteen and one-half feet north of the southwest corner of lot 17, block 53, Central Sioux City. Another track intersecting the track first above described at a point on Second street 80 feet west of the west line of Division street; thence running northeasterly and

south of the track first above described, crossing the west line of Division street at a point where the center of said track shall be seventeen and one-half feet south of the southeast corner of lot 16, block 28, Central Sioux City, and crossing the east line of Division street at a point where the center of said track shall be nine feet south of the southwest corner of lot 17, block 53, Central Sioux City, and thence easterly along Second street to a point eight and one-half feet from the center of said track south of the southeast corner of said lot 17, block 53, Central Sioux City. Another track intersecting the last described track at a point nine feet south of the southwest corner of lot 17, block 53; Central Sioux City; thence running north-easterly along Second street to a point where the center of said track shall be six feet south of the southeast corner of said lot 17, block 53, Central Sioux City. Another track intersecting the north main track of said railway company on Second street at a point four feet west of the west line of Division street; thence running easterly and north of the main track, across Division street and along Second street to a point where the center of said track shall be 28 1-5 feet north of the northeast corner of lot 18, block 54, Central Sioux City. Passed August 30, 1887.

SEC. 11. Granting to Chicago, Milwaukee & St. Paul Railway Company permission to construct side track with right to put in switches and make connection with the track on Second street, known as the combination track, constructed under ordinance number 135, passed June 4, 1873, commencing at a point on said combination track on Second street, directly south of the southeast corner of lot 6, in block 28, Sioux City East addition, running thence diagonally and in a northwesterly course across Second street to a point five and one-half feet south of the curb line on the north side of said street, said point being directly south of the southeast corner of lot 7, block 29, Sioux City East addition, thence west in a straight line on Second street to Water street. Passed November 22, 1887.

SEC. 12. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way, as follows: Commencing at the west line of Water street, in Sioux City East addition, at a point on said west line, where the track of the Chicago, Milwaukee & St. Paul Railway Company now crosses the said west line of Water street and at the intersection of said track and said west line; thence running southeasterly along and across Water street and Second street to the Missouri

river, at a point not further east than the east line of Water street; and said railway company shall have the right to connect, by a proper switch, the said proposed track with its main line at a point at or near the said west line of Water street. Passed December 10, 1889.

SEC. 13. Granting to and confirming in Chicago, Milwaukee & St. Paul Railway Company certain rights of way, as follows: Granting to said company, its successors, lessees and assigns forever, the right to maintain, operate, use and continue its railroad and railroad tracks as the same are now maintained, operated and used in the city of Sioux City, over and upon the streets, alleys and public grounds in said city whether owned solely by said railway company or jointly with other companies, as the same are shown and designated on a map or plat thereof, which map or plat was duly filed in the office of the clerk of the city of Sioux City on the 15th day of March, 1898. Passed March 15, 1898.

SEC. 14. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way, as follows: Commencing with the north rail of the track at a point in Second street, four feet and three inches south of the center line of said Second street at the west line of Division street, thence continuing west parallel to said center line of said Second street to the east line of Steuben street in said Second street. Passed September 18, 1900.

SEC. 15. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way, as follows: Commencing with the center of the track at a point thirty-five feet south of the south line of Second street on the west line of Steuben street, thence in a southeasterly direction across said Steuben street, so that the center of said track shall intersect the east line of said Steuben street at a point on said line fifty-five feet and three inches south of the south line of Second street. Passed October 16, 1900.

SEC. 16. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way for switch track across certain streets and alleys, as follows: Commencing at a point on the main line of the Chicago, Milwaukee & St. Paul Railway Company at or near its intersection with the east line of the north and south alley in block 28, Sioux City proper, and running thence in a straight line across lot 12, in said block 28, and in and along West Fourth street to a point near the east line of Bluff street at its intersection with the south line of West Fourth street and entering West Fourth street at an



easterly angle of eleven degrees and thirty minutes with the south curb line thereof; thence running in, over and across West Fourth street in an easterly and northeasterly direction with a regular twenty-seven degree curve, entering lot 6, in block 34, Sioux City proper, at a point on the south line thereof, approximately fifty feet, more or less, west of the east end of said lot 6; thence northeasterly within lots 6, 5 and 4 of said block, continuing upon said curve of twenty-seven degrees and into the north and south alley, in said block 34, entering said alley at a point about or near the northeast corner of said lot 5 and running and continuing in said alley to the place of intersection thereof with the south line of the east and west alley in said block 34. Passed September 7, 1904.

SEC. 17. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way for side track, as follows: Beginning at a point in the north side track, constructed under the ordinance passed by said city council on December 3, 1885, granting to said Chicago, Milwaukee & St. Paul Railway Company, the right of way over, along and across certain streets and alleys and public grounds in the city of Sioux City, Iowa, as now located and established, at or near the southeast corner of lot 10, in block 39, in Sioux City proper, and thence running in a southeasterly direction across Kansas street to a point in the northwest corner of lot 4, in block 44, in Sioux City proper, which said point shall be three feet south of the alley running east and west in said block 44, between lots 3 and 4, in said block. Passed June 25, 1907.

SEC. 18. Granting to Chicago, Milwaukee & St. Paul Railway Company, Chicago & Northwestern Railway Company, Chicago, St. Paul, Minneapolis & Omaha Railway Company, Chicago, Burlington & Quincy Railroad Company, Great Northern Railway Company and Illinois Central Railroad Company, jointly, for three side tracks on First street, and across Morgan, Steuben, Lafayette and Clark streets, hereinafter designated as tracks Nos. 1, 2 and 3, with the necessary switches to connect said side tracks No. 1 and 2 with the elevator of the Sioux City Terminal Elevator Company, and to connect all of them with the tracks of said companies adjacent to said rights of way hereinafter described, to-wit: A right of way for side tracks No. 1 and 2 to commence at a point in First street, Sioux City, Iowa, about eighty feet east of the southwest corner of block 34, Central Sioux City, the center of said track No. 1 to be about twenty-seven

feet, three inches, south of the south line of said block 34, and the center line of said track No. 2 to be not less than eleven or more than twelve feet north of the center of track No. 1, except where they join at the switch at the east end; thence extending on said First street westward parallel with the south line of said block 34 and the south line of block 33, in said addition, to the east line of Steuben street; thence curving northwesterly along said First street and crossing Lafayette street at the southwest corner of block 32, in said addition, and crossing Clark street parallel with the track of the Sioux City Bridge Company at the northwest corner of lot 20, block 43, Middle Sioux City; the right of way for said track No. 3 to commence at or near the same point as track No. 2; thence extending westward across and along said streets parallel with said track No. 2 and northerly thereof, not less than eleven or more than twelve feet to the west line of lot 9 in said block 33. Passed September 17, 1907.

SEC. 19. Granting right of way to Chicago, Milwaukee & St. Paul Railway Company for railway switches and sidetracks from a point of connection with the side and switch track as the same is now located in the north and south alley on the south side of the east and west alley in block 34, Sioux City proper, to a point in said north and south alley to the south line of lots 2 and 11, of said block 34, if extended across said alley. Passed October 22, 1907.

SEC. 20. Granting to Chicago, Milwaukee & St. Paul Railway Company right of way for spur track along the south side of First street, north of the north line of lot 7, block 30, Davis addition, to the west line of the north and south alley running through said block. Passed February 25, 1908.

SEC. 21. Granting to the Chicago, Milwaukee & St. Paul Railway Company, the right to construct, maintain and operate a single spur track across Steuben street, substantially as follows: Commencing at a point on the west line of lot 8, block 33, about fifty feet north of the southwest corner of said lot; thence running in a diagonal direction northwest across said Steuben street, and crossing the east line of lot 1, block 32, at a point on the east line of said lot 1, about seventy-five feet south of the northeast corner of said lot 1; all in Central Sioux City addition. Passed May 7, 1910.

**Dubuque and Sioux City Railroad Company.**

**SECTION 1.** Granting right of way to Dubuque and Sioux City Railroad Company as follows: On First street, in Middle Sioux City, Iowa, commencing at a point near the southwest corner of lot 1, in block 12; thence crossing the alley which passes through said block, running north and south; thence by a curve along said First street in a westerly direction crossing Iowa street, to a point near the southwest corner of lot 1, block 11, Middle Sioux City; thence parallel along the north side of First street, westerly, crossing the alleys and streets to Jennings street; said track at all points, except at the curve above referred to, to be within twenty feet of the north line of said First street. Passed May 3, 1892.

**SEC. 2.** Granting to Dubuque and Sioux City Railroad Company, and its lessee, the Illinois Central Railroad Company, right of way for railway track as follows: Commencing at a point on Howard street, on the east half of said street, east of the present Dubuque and Sioux City Railroad Company's main track, fifty feet south of the south line of Fifth street; thence southerly to a connection with the track leading to the freight depot of said railroad company, between lot 1, in block 27, and lot 1, in block 28, in said Middle Sioux City, Iowa, a distance of about six hundred and twenty feet, more or less. The said company is authorized to locate, construct, maintain and operate a railroad upon and along said Howard street, and over and across Fourth street. Passed October 3, 1893.

**SEC. 3.** Granting to Dubuque and Sioux City Railroad Company, and its lessee, the Illinois Central Railway Company, right of way for spur track as follows: Commencing at a point on the west side of West Floyd river road 20 feet south of the line running east and west through the center of section 22, township 89, range 47, and running thence northwesterly, crossing said West Floyd river road diagonally to a point in the east line of said road ten feet, more or less, north of the said line running east and west through the center of said section 22 and crossing said road on a grade two feet above the present grade of said road; also crossing Chambers street in Krummann's Lowell addition to Sioux City, Iowa, beginning at a point on the west line of said Chambers street fifty-six feet, more or less, north of the line running east and west through the center of section 22, township 89, range 47, and running thence northwesterly to a point in the east line of said Chambers street

twenty feet, more or less, from the southeast corner of lot 6 in block 6 of said Krummann's Lowell addition to Sioux City, Iowa, thence northeasterly upon and along the alley running northeasterly through blocks 6 and 5 from the south end thereof as far north as the north line of said block 5, and also crossing Krummann avenue running east and west between said blocks 6 and 5 and across the alleys running east and west in said blocks 6 and 5, all in Krummann's Lowell addition to Sioux City, Iowa. Passed September 4, 1894.

SEC. 4. Granting to the Dubuque and Sioux City Railroad Company, and its lessee, the Illinois Central Railway Company, right of way for side track, as follows: Over and along the east side of Howard street in Sioux City East addition, commencing at a point on said Howard street on the south line of the alley running east and west through block 112, Sioux City East addition; thence running south upon the east side of Howard street east of the main track of said railroad company as now located, and crossing Eleventh street, and Tenth street, and Ninth street, now vacated, to a point opposite the south line of lot 2, in block 128, in Sioux City East addition. Passed July 2, 1895.

SEC. 5. Granting to the Dubuque & Sioux City Railroad Company a right of way for railway switch and sidetrack, from a point of connection with the side and switch tracks of the Dubuque & Sioux City Railroad Company, as the same are now located, in Sioux City, Iowa, abutting upon the west side of Clark street, between Seventh street and a point about fifty feet north of the north line, if extended, of the east and west alley in block 56, Central Sioux City Second Filing, to a point on the east side of Clark street between said Seventh street and the said east and west alley about one hundred feet north of said Seventh street. Passed September 21, 1909.

### **Chicago & Northwestern Railway Company.**

SECTION 1. Granting to Chicago & Northwestern Railway Company right of way and permission to lay and maintain additional track as follows: Upon, over and across Virginia street, said track to cross the east line of said street at a point about one hundred and twenty feet south of the south line of Second street, and to cross the west line of said Virginia street at a point about one hundred feet south of the said Second street. Passed September 5, 1905.

**SEC. 2.** Granting to the Chicago & Northwestern Railway Company a right of way for switch track located as follows: A track across Pierce street extending from a point on the west line of Pierce street 105 feet south of the south line of Second street and 60 feet north of the Chicago & Northwestern Railway Company's main line northeasterly to a point on the east line of Pierce street, 88 feet south of the south line of Second street and 97 feet north of the said railway company's main line. Passed September 17, 1910.

### **Sioux City and Northern Railroad Company.**

**SECTION 1.** Granting to Sioux City and Northern Railroad Company right of way as follows: From a point on the east side of block 44, Central Sioux City, at the east end of the alley running east and west through said block 44; thence west over, along and upon the alleys running east and west through block 44, in Central Sioux City, blocks 15, 16, 17, 18, 19, 20 and 21, in Middle Sioux City, in blocks 25, 26, 27 and 28, in Sioux City East addition, to a point on the east side of Douglas street, in said last named addition, where the west end of the alley running east and west through the said block 28, intersects said Douglas street; and also across all the alleys running north and south through all the said above named blocks, and over and across the streets running north and south and between said blocks as follows:

Clark street, Howard street, Wall street, Iowa street, Court street, Virginia street, Jennings street and Jones street, in Middle Sioux City; and Jones street, Jackson street, Nebraska street and Pierce street, in Sioux City East addition; and also the right of way over, upon and along the north side of Second street, commencing at the west side of Lafayette street, at its intersection with Second street, in Central Sioux City; thence west across and over Clark street, Howard street, Wall street and Iowa street, in Middle Sioux City; also the right of way across Lafayette, Steuben, Morgan, Chambers, Prospect and Pavonia streets, in Central Sioux City, between Second and Third streets. Passed May 20, 1889.

**SEC. 2.** Granting to Sioux City and Northern Railroad Company right of way as follows: From a point on Second street opposite or nearly opposite the center of lot 12, in block 16, Middle Sioux City, intersecting at said point the south track constructed upon said street by the Chicago, Milwaukee and St. Paul Railway Company;

thence over, along and across Second street, crossing the eastern end of lot six, in block 13, in said Middle Sioux City; thence across, along and over Howard street in said Middle Sioux City; thence across the alley running east and west in block 14, Middle Sioux City; thence intersecting the union track of the Union stock yards, in lot 3, block 14, Middle Sioux City. Passed April 22, 1890.

### **Iowa & Great Northern Railway Company.**

SECTION 1. Granting to Iowa & Great Northern Railway Company a right of way for double track main line and one or more side-tracks across Fourth street between Division street and Grand street; also right of way for a spur track connecting with the tracks of the Willmar & Sioux Falls Railway Company near the south bank of the Floyd river; thence on a twelve degree curve to the right across Fifth street and Division street to the alley in block 13, Central Sioux City, thence westerly along the alley in blocks 13, 14 and 15, Central Sioux City, and across Pavonia street and Prospect street and to the east line of Chambers street. Passed February 14, 1905.

### **Great Northern Railway Company.**

SECTION 1. Granting to the Great Northern Railway Company a right of way for a single track from a point on the south line of lot 15, block 17, Central Sioux City, about 32 feet east of the west line of said lot 15; thence running southerly and southeasterly across said Fourth street to the south line thereof at the point of intersection of lots 1 and 2, block 20, in said Central Sioux City. Passed March 15, 1910.

### **Willmar & Sioux Falls Railway Company.**

SECTION 1. Granting to Willmar and Sioux Falls Railway Company right of way for sidetrack as follows: Commencing at a connection with its main track or side tracks between Seventh street and Eighth street in Cole's addition, thence in a northwesterly direction, on a twenty degree curve across the alley in block 5, Cole's addition, thence across Eighth street and Division street. Passed January 2, 1906.

### **Sioux City Terminal Railroad and Warehouse Company.**

SECTION 1. Granting to Sioux City Terminal Railroad and Warehouse Company right of way as follows: For two railway

tracks over, across and upon the north side of Second street, from the east side of Douglas street to the east side of Pearl street, in Sioux City East addition, the center of said southerly track to be thirteen feet north of the center of the track of the Chicago, Milwaukee & St. Paul Railway on Second street, which extends to and near the building formerly occupied by Tolerton & Stetson, in block 30, Sioux City East addition, and the center of said second track to be 13 feet north of the center of said first track; also right of way for the location and construction and operation of five railway tracks across Douglas street, in Sioux City East addition, between Second and Third streets, the center of said northerly tracks, on the east side of said Douglas street, to be not over twenty feet north of the center line of the alley running east and west through block 28, in Sioux City East addition, and no part of the tracks upon the west side of Douglas street to be north of the north line of the alley running east and west through block 29, in Sioux City East addition; and the southerly track to be not over forty-one feet south of the center of said alley. Also the right and franchise of locating, constructing and operating railroad tracks along, through and across the alley running east and west through said block 29, and across the alley running north and south in the south half of said block 29. Also right of way for double track from the main line of the Sioux City & Northern Railroad, in Second street, at a point east of Wall street, and thence along and across Second street, and across, along and upon Howard street, and across alley in block 14, Middle Sioux City, thence across First and along Clark street between block 1, in Middle Sioux City, and Private Park, in Central Sioux City; thence across Steuben, Morgan and Chambers streets, in Central Sioux City, crossing the same north of the alley running east and west in blocks 42, 41 and 40, in Central Sioux City. Passed July 14, 1891.

### **Union Terminal Railway Company.**

SECTION 1. Granting to Union Terminal Railway Company, its successors and assigns, for benefit of the owners of property adjacent to and abutting upon east and west alley in block 30, Sioux City East addition, right of way as follows: From the intersection of the east and west alley in block 29 in said addition, with the east line of Pearl street, across Pearl street and over and along the east and west alley in block 30 to its intersection with the east line of the north and south alley in said block. The middle line of said

sidetrack shall commence at the intersection of the alley in said block 29 with the east line of Pearl street, and extend westward directly across the said Pearl street, and along, and coincide with, the middle line of the east and west alley in said block 30, as far as the east line of the north and south alley in said block; the intention being to grant a right of way for the extension westward of the switch track already constructed by the grantee under ordinance No. 3525, passed December 3, 1901. Passed January 10, 1905.

SEC. 2. Granting to Union Terminal Railway Company right of way for sidetrack as follows: The right of way for a single side track and spur track therefrom, upon and across Pierce street and Third street and across Douglas street in said city. The south rail of said track to intersect the southwest corner of lot number 1 in block 27, Sioux City East addition; thence in a northwesterly direction on an approximately twenty-one degree curve to a point five feet south of the curb line and opposite a point ten feet east of the southwest corner of lot number 7 in block 21, Sioux City East addition; thence in a westerly direction along Third street at an equal distance of five feet south of said curb line across Douglas street and to the east line of Pearl street. The south rail of said spur track to intersect and join the south rail of said sidetrack at the point where said side track begins to run west, and to extend east from said point along said Third street at an equal distance of five feet south of the said curb line to a point directly south of the southeast corner of lot number 7 in block 21, Sioux City East addition. Passed August 28, 1906.

SEC. 3. Granting to Union Terminal Railway Company right of way for spur track as follows: On the alleys extending through block 29, Sioux City East addition, commencing at a point one hundred feet west of the west line of Douglas street, in said city, thence along the alley extending east and west through block 29, Sioux City East addition, a distance of one hundred and twenty-five feet and over and across the alley extending north and south through said block 29, Sioux City East addition. Passed November 12, 1907.

### **Sioux City Terminal Railway Company.**

SECTION 1. Granting to the Sioux City Terminal Railway Company right of way for a railroad track on the west half of Prospect street from a point connecting with the railroad track on said



street, at or near the southeast corner of lot 10, block 24, Floyd City, thence in a southerly direction along the west half of Prospect street to the Floyd river; also the right to lay a single or double track across Floyd street between blocks 33 and 38, in said Floyd City. Passed November 19, 1910.

### **Sioux City, Crystal Lake & Homer Railway Company.**

SECTION 1. Granting to Sioux City, Crystal Lake & Homer Railway Company right of way as follows: The right of way for a single track from a point at or near the north end of the combination bridge which crosses the Missouri river, in Sioux City Proper, in a northeasterly direction across West Second street, the center line of the same where it crosses said street being 225 feet east of the east line of Kansas street, and thence northeasterly ending on the property of E. J. Ressigieu at a point at or near West Third street and at or near Elm street, in Sioux City proper. Passed December 18, 1906.

### **Sioux City Bridge Company.**

SECTION 1. Right of way to the Sioux City Bridge Company as follows: Right of way 15 feet in width from a point of connection with the railway track of the Sioux City and Pacific Railroad Company in First street, Middle Sioux City, at or near the center of said street; thence east upon and along said First street, near the center line of said street and adjoining on the north the right of way granted to the Chicago, St. Paul, Minneapolis & Omaha Railway Company, the Sioux City and Pacific Railroad Company and the Illinois Central Railroad Company, by ordinance passed July 17, 1885, the center line of the right of way to be fifteen feet from the center line of the railway track of the said companies where the same is now constructed, to a point in said street opposite block 39, in Central Sioux City; thence curving across the south half of said street and Pavonia street to and across the alleys in said block 38, Central Sioux City, to and across the Floyd river. Also from a point of connection with the railway track of the Chicago, St. Paul, Minneapolis & Omaha Railway Company, in Howard street, in Middle Sioux City, at a point between blocks 15 and 16, in Middle Sioux City; thence in a southeasterly direction across Howard street and Second street, and across the alley in block 14, in Middle Sioux City, and across Clark street between block 15, in Middle Sioux City,

and block 43, in Central Sioux City, and diagonally along the north side of First street to a point of connection in said First street with the right of way above described. Passed June 15, 1887.

**Pacific Short Line Bridge Company.**

SECTION 1. Granting to the Pacific Short Line Bridge Company right of way as follows: Commencing on the east bank of the Missouri river at a point nearly opposite a point on the south line of block 42, in Sioux City proper, which said point is about 71 feet west from the southeast corner of said block 42, said point of commencement being the point where the track of said bridge company is now located; thence across the levee or public ground to a point on the south line of said block 42, about 71 feet west of the southeast corner of said block 42, and across the alley running east and west through said block 42, the center line of said track striking the south line of said alley at a point about twenty-five feet west of the east line of said block 42, and the center line of said track, striking the north line of said alley at a point about 15 feet west of the southeast corner of lot 17, in said block 42; thence across Elm street, in said Sioux City proper, on a fourteen degree and thirty minute curve, the center line of said track leaving the east side of block 42 aforesaid at a point about 23.5 feet north of the southeast corner of lot 17, in block 42, the center of said track after crossing Elm street on said curve aforesaid striking the west side of block 46, in said Sioux City proper at a point about one hundred feet south of the north end of said block 46, and the center of said track leaving the east side of said block 46, about 85 feet south of the north end of said block 46; thence easterly upon a curve of ten degrees over, across and along Park street, West Second street and the extension of East Third street, to a point on the west bank of Perry creek near the south line of east Third street extended; thence across Perry creek; thence easterly, the center line of said track striking the west line of Water street at a point about 25 feet north of the southeast corner of lot 10, in block 31, in Sioux City East addition; thence on a curve sixteen degrees over, across and along said Water street, to the alley running east and west through block 30, in Sioux City East addition, the center line thereof striking said alley at a point near the southwest corner of lot 3 in said block 30; thence running east through the said alley in block 30 to the west side of Pearl street; thence east

across Pearl street to a point about or near the northwest corner of lot 4, in block 29, in Sioux City East addition. Passed January 24, 1893.

SEC. 2. Granting to Pacific Short Line Bridge Company right of way as follows: For a double track commencing on the east bank of the Missouri river at a point nearly opposite a point on the south line of block 42, in Sioux City proper, which is about 75 feet west of the southeast corner of said block 42; thence across the levee or public ground between said east bank of the Missouri river and the south line of block 42, the center line of said double tracks striking the south line of block 42 at a point at about 75 feet west of the southeast corner of said block 42 and across the alley running east and west through said block 42, the center line of said double tracks crossing the same at a point about 45 feet west of the east end of said alley; also a single track across Elm street, in Sioux City proper, said track leaving the east side of block 42 at a point about 56 feet north of the southeast corner of lot 17, in block 42; and thence across, along and upon Elm street upon a curve, striking the west side of said block 46 in said Sioux City proper at a point about fifty feet south of the north end of said block 46; and across Park street in said Sioux City proper, leaving the east side of said block 46 about forty-five feet south of the north end of said block 46; and across Perry creek, and along, upon and over Third street, striking the north line of Third street at a point about eighty feet west of the southeast corner of lot 4, in block 85, Sioux City East addition; thence along, over and across said Third street on a curve, striking the west side of Water street at its intersection of Third street, in Sioux City East addition, at a point about sixteen feet north of the northeast corner of block 31, in Sioux City East addition; thence across and over Water street, in Sioux City East addition, striking the west side of block 30, in Sioux City East addition, about eighteen feet south of the northwest corner of said block 30; thence over, across and upon the alley in the north half of said block 30, striking the west side of said alley at or near the southeast corner of lot 2, in said block, and striking the east side of said alley at a point about ten feet south of the southwest corner of lot 11, in said block 30, and across, along and upon the alley in the east half of said block 30, striking the north side of said alley about twenty-five feet west of the southeast corner of lot 10, in said block 30; thence across

Pearl street in Sioux City East addition, striking the east side of Pearl street about sixteen feet south of the northwest corner of lot 4, block 29, Sioux City East addition. Also a single track over, along, across and upon Elm street, in Sioux City proper, leaving the east side of block 42, in Sioux City proper, at a point about 65 feet north of the southeast corner of lot 17, in said block 42; thence across Perry creek on a curve; thence across the alley, street or public ground lying between blocks 55 and 56, in Sioux City East addition; thence across Elm street, in Sioux City proper, extended, and across Perry creek, striking the west line of block 43, in Sioux City proper, at a point about seventy-five feet south of the northeast corner of said block 43, together with the right to said company, its lessees or assigns, to construct ways on each side of said railway tracks from the said bridge at the easterly bank of the Missouri river, for wagons and foot passengers, crossing the alley in block 42, in Sioux City proper, and thence running to a point at or near the center of Elm street nearly opposite the south line of lot 19, in block 42, aforesaid, and then the south way crossing the said railway track, and joining the north way, and from that point said foot and wagon ways passing over, along and upon Elm street north to West Third street. Passed August 19, 1890.

### **Combination Bridge Company.**

SECTION 1. Granting right of way to Combination Bridge Company as follows: Right of way over and across First street forty feet in width on each side of the center line of the bridge approach extended from the north end of the combination bridge over the Missouri river, to the place where the said approach enters upon the south side of block 42, in Sioux City, Iowa. Passed October 15, 1895.

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### **PRIVATE RIGHTS OF WAY.**

Rights of way for sidetracks have been granted from time to time by the city council to private individuals, firms and to corporations other than railroad companies. The same plan of presenting these has been followed, as in the case of rights of way to railroad companies, each section representing a separate ordinance.

**Union Stock Yard Company.**

SECTION 1. Granting to the Union Stock Yard Company of Sioux City, Iowa, a right of way for the location and construction of a railway track, and for operating the same from the railway track of the Chicago, Milwaukee and St. Paul Railway Company, at the intersection of Prospect and Leech streets, in Floyd City, on the north side of Leech street, and running thence southerly across and along the east side of Prospect street to lot 2, in block 20, in Floyd City, and running thence across the alley between lots 3 and 4, and across the alley between lots 6 and 7, in said block 20, and thence across Washington street in Floyd City to the Floyd river, and over and across said Floyd river to the east bank thereof. And said Union Stock Yard Company may locate, construct and operate a connecting switch with the railway tracks of the Chicago, Milwaukee and St. Paul Railway Company, at the intersection of Prospect and Leech streets, as the said Union Stock Yard Company may deem desirable, and in case said company shall cease to use said track for the purpose herein granted for one year, then this franchise shall terminate. Passed March 19, 1887.

SEC. 2. Granting to the Union Stock Yard Company, of Sioux City, Iowa, the right of way for a double railroad track over, upon, along and across the following streets: Commencing at a point on Prospect street, in Floyd City, at or near the south line of Leech street, connecting with the present double tracks of said Union Stock Yard Company, at or near said point, thence running south on the east side of Prospect street, crossing Washington and Culver streets, in said Floyd City, to the south end of Prospect street at the Floyd river. Passed January 29, 1889.

**Sioux City Stock Yards Company.**

SECTION 1. Granting right of way to Sioux City Stock Yards Company for railroad tracks as follows: From a point of connection with the Union railway track in Prospect street between First and Grand streets; thence southeasterly upon, over, along and across Prospect street and along, over and upon and across Grand street to a point near the northwest corner of block 6, Floyd City; thence in a southeasterly direction along, over, upon and across the alleys and lots in said block 6; thence in a southeasterly direction along, over, upon and across Dace street (extended) between blocks 6 and 9

of said Floyd City, and along, upon, over and across Floyd river at or near Dace street (extended); thence in a general southeasterly and southerly direction to and upon, along and across Leech street east of the Floyd river. Passed September 17, 1901.

SEC. 2. Granting to Sioux City Stock Yards Company right of way as follows: To construct and maintain double track across Leech street, the center line of which is 227 feet west of the center line of the Sioux City Bridge Company's track, in the city of Sioux City, said double track not to occupy over and across said street more than twenty-five feet. Passed December 1, 1903.

SEC. 3. Granting to Sioux City Stock Yards Company the right of way for railroad track as follows: On the west half of Prospect street in Floyd City, said track connecting with the present line of railroad track on Prospect street at a point east of lot 9 in block 19, Floyd City, and extending in a southwesterly direction along said Prospect street so that the west rail of said track shall be fourteen feet east of the northeast corner of lot 12 in block 24, Floyd City, thence running in a southerly direction along said Prospect street to the south line of lot 10 in block 24, Floyd City, the west rail being fourteen feet east of lots 10, 11 and 12, in block 24, Floyd City; also granting to said company the right to erect and maintain loading and unloading chutes on the west side of said track. Passed November 22, 1904.

SEC. 4. Granting to Sioux City Stock Yards Company a right of way for a railroad track on the west half of Prospect street, from a point connecting with the railroad track on said street, at or near the southeast corner of lot 10, block 24, Floyd City, thence in a southerly direction along the west half of Prospect street to the Floyd river; also the right to lay a single or double track across Floyd street between block 33 and block 38 in said Floyd City. Passed November 16, 1909.

### **Sioux City Oat Meal Company.**

SECTION 1. Granting to the Sioux City Oat Meal Company a right of way for the location, construction and operation of a side-track with the necessary switches to connect the property of the Oat Meal Company with the union railway tracks, as follows: Commencing on the north line of First street, at a point about ninety feet east of the southwest corner of lot 1, block 14, Middle Sioux

City; thence across and over First street in a southeasterly direction to a point near the northeast corner of lot 4, block 1, Middle Sioux City; thence in a southeasterly direction along and across Clark street to a point near the southwest corner of Central Sioux City; then commencing on the north line of Grand street at a point near the west line of lot 2, block 1, Floyd City; thence in a southeasterly direction over and across Grand street to a point about forty feet east of the west line of lot 3, block 1, Floyd City. Passed December 16, 1887.

**R. D. Hubbard and T. P. Gere.**

SECTION 1. Granting to R. D. Hubbard and T. P. Gere, and to their assigns, a right of way for, and permission to construct, use, operate and maintain a sidetrack, from a point in Second street, at or near the intersection of Iowa and Second streets, and connecting with the railroad tracks of the Illinois Central Railroad, the Chicago, St. Paul, Minneapolis and Omaha Railway, Chicago, Milwaukee and St. Paul Railway Companies, and the track of any other railroad that may hereafter be located in said street at said place, diagonally along said street westerly to the north side of said Second street opposite to block 18, in Middle Sioux City; thence westerly and along said Second street next and adjoining the south line of block 18, in Middle Sioux City; thence diagonally along said street westerly to a point of connection with the railroad tracks of said railroads at some point at or near the intersection of Virginia street and Second street, in Middle Sioux City; also right of way for a sidetrack from a convenient point of connection with the railroad tracks of the Chicago, St. Paul, Minneapolis and Omaha Railway Company, at or near its crossing of Iowa street, in Middle Sioux City; and thence westerly upon and along the alley between lots 3 and 4, and 9 and 10, in block 18; and thence across Court street, between blocks 18 and 19, to the opposite alley, in block 19; thence along said alley, in block 19, so far as necessary to make a convenient connection with the railroad tracks of the Chicago, St. Paul, Minneapolis and Omaha Railway Company, in the north half of block 19, or the track of the Chicago, Milwaukee and St. Paul Railway Company, in the south half of block 19, in Middle Sioux City. Passed October 2, 1883.

**Stinson & Wells.**

SECTION 1. Right of way for side track to Stinson & Wells as follows: From a point on the Chicago, Milwaukee and St. Paul Rail-

road track on Second street, 125 feet west from the west line of Pierce street, in Sioux City East addition, diagonally with a slight curve to the southwest corner of lot 4, in block 27, Sioux City East addition, the said lot being the property of said Stinson & Wells. Passed January 2, 1884.

### **Franz Brewing Company.**

SECTION 1. Right of way to Franz Brewing Company as follows: Commencing at a point at or near the intersection of the west line of Kansas street and the line of the Sioux City and Pembina Railroad, now operated by the Chicago, Milwaukee & St. Paul Railroad Company, running thence in a southeasterly direction across Kansas street, in Sioux City, to the alley in block 44, in Sioux City, thence along said alley in a southeasterly direction through said block 44. Passed June 17, 1883.

### **H. D. Booge & Co., Sanborn & Follett and Miles Davis.**

SECTION 1. Granting to H. D. Booge & Co., Sanborn & Follett and Miles Davis, their associates, successors and assigns, right to construct and maintain a railroad track from an intersection with the railroad track now built, or that may hereafter be built on Second street, one hundred and twenty-five feet east of the southwest corner of block 30; thence running northwest, crossing Second and Water streets, to block 31, in Sioux City East addition; thence across said block 31 and the alleys therein; thence running north across Third street, Sioux City East addition; thence to block 85, and across said block 85, and the alleys therein, and thence across the street immediately north of said block 85 to the rear part of block 86, to Perry creek, in Sioux City East addition, so long as flouring mills and elevator, and other similar business is carried on in said block 85. Passed October 4, 1870.

### **Sanborn & Follett.**

SECTION 1. Granting to Sanborn & Follett the right to construct and maintain a railroad track from an intersection with the railroad track now built, or to be built on Second street, in Sioux City East addition, one hundred and twenty-five feet east of the southeast corner of said Second street and Water street, in said Sioux City East addition, across Second and Water streets to the lumber yard of said Sanborn & Follett on block 31, in said Sioux City East addi-



tion as long as said Sanborn & Follett shall occupy said premises as a lumber yard. Passed February 9, 1868.

**Viola A. Follett, Judson L. Follett and Mary L. Follett et al.**

SECTION 1. Granting to the above named, right of way for side track as follows: To connect lots 3 and 4, in block 85, and lots 2 and 3, in block 86, in Sioux City East addition, with the main line of railroad of Chicago, Milwaukee & St. Paul Railway Company as follows: Commencing on the west side of the main track of said Chicago, Milwaukee & St. Paul Railway Company on the north side of Mill street on the south line of lots 2 and 3 in said block 86, Sioux City East addition; thence southeasterly along said right of way of the Chicago, Milwaukee & St. Paul Railway track and parallel therewith across Mill street to said block 86. Also right of way for side track and necessary switches and connections to connect lot 4, block 85 and lot 4, block 86, in Sioux City East addition, with the railroad track constructed under ordinance passed October 4, 1870, granting to H. D. Booge & Co. and others certain rights of way: Commencing on the alley between lots 4 and 5 in said block 85, Sioux City East addition, on the west side of said present railroad track, thence running north and parallel with said present track along said alley and said lot 4 in said block 85, across Mill street, thence north along said alley and said lot 4 in said block 86, Sioux City East addition, to Perry creek. Passed April 11, 1899.

SEC. 2. Granting to Viola A. Follett, Mary L. Follett Armstrong, Flora E. Follett, Judson L. Follett, The Haley and Lang Company and M. C. Davis right of way for sidetrack and switches as follows: Across Third street between blocks 85 and 86, in Sioux City East addition, exactly located as follows: Commencing at Perry creek next east of the right of way of the Chicago, Milwaukee & St. Paul Railway Company and at the north side of said block 86, thence southeasterly next east of, abutting on and parallel with, said right of way of said Chicago, Milwaukee & St. Paul Railway across said block 86, across Mill street and block 85, and across Third street to a junction with the present side track of these grantees. Also a right for another track from the south end of the alley between lots four and five in said block 85, south across Third street next beside the present side track across Third street, so that the rights to two tracks in said alleys through said blocks 85 and 86 shall both extend south across Third street. Passed March 29, 1904.

**J. W. Young.**

SECTION 1. Right of way to J. W. Young as follows: A side track from the main track of the Iowa Falls and Sioux City Railroad Company, commencing at a point one hundred feet east of the southeast corner of Jones and Second street, in Sioux City, and running diagonally across the north side of Second street, to lot 6, block 25, Sioux City East addition. Passed July 8, 1874.

**J. D. Farr and William Haley.**

SECTION 1. Right of way to J. D. Farr and William Haley for sidetrack as follows: From a point commencing at the intersection with the track east of Second street, known as the combination track, constructed under ordinance 136, Passed June 4, 1873, at a point not less than 94 feet east of the east line of Douglas street, running thence northeasterly and diagonally across Second street to a point four feet south of the east half of lot 8, in block 28; thence along in front of the east half of lots 8 and 9, four feet from said lot lines, to the southeast corner of said block 28. Passed December 10, 1889.

**Erickson Brothers.**

SECTION 1. Granting to Erickson Brothers the right to grade and the Illinois Central Railroad Company the right to lay track on same as follows: The right to grade so much of the north twenty feet of First street, in Middle Sioux City, from Iowa street west to the alley running north and south between Court and Virginia streets, as may be necessary to properly lay thereon side track on the said north twenty feet of said First street from Iowa street to the alley running north and south between Court and Virginia streets. Also granting to Illinois Central Railroad Company right to lay track on same. Passed March 8, 1892.

**W. B. Palmer.**

SECTION 1. Granting to W. B. Palmer right of way for side track as follows: The center line of said track to commence at a point on the west line of said Douglas street, seventy feet south of the south line of the alley running east and west through block 29, Sioux City East addition, thence extending due east to the east line of said Douglas street. Passed August 31, 1900.

**Armour & Company.**

SECTION 1. Granting right of way to Armour & Company, A Groninger and Union Terminal Railway Company as follows: Over and upon the alley running east and west in block 29, Sioux City East addition, and across the alley running north and south in the same block as appurtenant to lot 3 in said block 29, owned by A. Groninger, and lot 10, in said block 29, owned by Armour & Company. Passed December 3, 1901.

**Sioux City Brewing Company.**

SECTION 1. Granting to Sioux City Brewing Company right of way for railroad side track as follows: From a point commencing and connecting with the main track of the Chicago & Northwestern Railway on Second street where the same intersects Park street on the east, in said city; running thence northwesterly and diagonally across Park street to a point four feet south of the southeast corner of said Brewing Company's brewing room; thence extending west along the south side and parallel with said brewing room to connect or intersect with the railroad side track which now runs to the boiler room of said brewing company. Passed July 19, 1904.

**Martens Brothers Milling Company.**

SECTION 1. Granting right of way to Martens Brothers Milling Company for spur or side track as follows: The center of which track is located and commences on the south line of the Floyd road at a point at or about forty-seven feet northwest of the point where the south line of said Floyd road touches the west line of Clark street, thence northeasterly across said Floyd road to the property of said Martens Brothers Milling Company, located north of said Floyd road and west of Clark street, and what would be Clark street, if extended. Also right of way for location of spur or side track running thirty feet north from a point near what would be the southwest corner of Clark and Eleventh streets if said Clark street and Eleventh street were extended so that said Eleventh street crossed said Clark street, to connect with a track which is located by said Martens Brothers Milling Company on the east of its property west of said Clark street. Passed June 12, 1906.

**EASEMENTS.**

The following is a list of several ordinances granting easements over streets and public grounds, each section representing a separate ordinance:

SECTION 1. Granting to Mount Sinai Cemetery Association, for the use and benefit of said association and the owners of lots in said cemetery, the right of way over Main avenue in Floyd cemetery. Passed August 5, 1884.

SEC. 2. Granting to Sioux Milling Company the right to erect buildings upon and use that portion of Lafayette street in Floyd City addition, situated between lots 1 and 2, block 1, and lots 1 and 2, in block 2, lying north of Grand street in said addition, for milling purposes. Passed March 7, 1893.

SEC. 3. Permitting Armour & Company to occupy and use so far as necessary the Sioux City and Sergeant Bluff road in connection with an established stock run over the said Sioux City and Sergeant Bluff road near the south end of Armour & Company's packing plant, said stock run to be at least twenty-four feet high from the surface of said roadway, the center span to be thirty-one feet from center to center of posts, or fifteen and one-half feet on either side of the center of said roadway, and two fifteen feet openings on either side of center of span. Passed April 4, 1904.

SEC. 4. Granting to Simmons Warehouse Company the right to construct loading platforms on Mill street, together with the approaches thereto. Passed March 6, 1906.

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**TO DAVIDSON BUILDING COMPANY.**

AN ORDINANCE granting unto the Davidson Building Company, of Sioux City, Iowa, permission and authority to build over the east and west alley extending between lots nine (9) and ten (10) in block twenty-one (21), Sioux City East addition, Sioux City, Woodbury County, Iowa, in the manner as herein set forth.

Whereas, the Davidson Building Company, a corporation organized and existing under and by virtue of the laws of the state of Iowa, is now the owner of lots nine (9), ten (10), eleven (11), and twelve (12), in block twenty-one (21), Sioux City East addition, Sioux City, Woodbury County, Iowa, and has erected on said lots

ten (10), eleven (11) and twelve (12) large buildings used in the prosecution of its retail mercantile business and is desirous of erecting on said lot nine (9), a large building to be used in the prosecution of its retail mercantile business, and is desirous of joining said buildings on lots ten (10), eleven (11), and twelve (12), with the said building to be erected on lot nine (9), by building over the alley between said lots nine (9), and ten (10), in block twenty-one; therefore

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the Davidson Building Company be, and said company is hereby granted permission and authority to connect the said buildings on lots ten (10), eleven (11), and twelve (12), with the said building to be erected on lot nine (9), by building over the east and west alley in block twenty-one, being that portion of the alley lying between lots nine (9) and ten (10), block twenty-one, Sioux City East addition.

SEC. 2. In connecting its buildings, the said Davidson Building Company shall not construct or erect any building over the alley at a less height than eighteen feet above the established grade of said alley, and shall at all times after having erected a building over the said alley, by joining the two buildings now owned by the said Davidson Building Company on either side of the said alley, keep said alley at all times lighted in such manner and with as many lights as the city council may direct from time to time and the present wall now equipped with metal frame, wireglass, fire proof windows, shall be continued as they now are and any opening that shall be made between the two buildings shall be equipped with automatic fire doors, and all windows on the west end of the new building and on the alley side the first floor shall be metal frame, wireglass, fire proof windows, and provided further, that the said Davidson Building Company, before erecting a building over said alley, shall make satisfactory arrangements with any public service company using said alley, and secure their permission to the erection of the building over the said alley in the manner herein described.

SEC. 3. The Davidson Building Company shall pay into the city treasury on July 1, 1911, and annually thereafter, for a period of five years, the sum of twenty-five dollars (\$25.00) per annum, and at the end of the five year period, the amount to be paid annually for the period of ten years following, be readjusted by arbitration, by three

referees, the city choosing one referee, the Davidson Building Company selecting one referee, and the two referees so chosen to select a third referee, and the amount found by the majority of the said referees, be the amount which the Davidson Building Company shall pay into the city treasury annually thereafter for ten (10) years, and at the end of that period readjustment in same manner for another period of ten years.

SEC. 4. The Davidson Building Company shall, within thirty days after the passage of this ordinance, file its written acceptance hereof with the city clerk, in which written acceptance, the Davidson Building Company shall bind itself, its successors and assigns, to, at all times, keep the said alley lighted in such manner as the city council may direct from time to time, and keep the said alley open and free from any and all obstructions and to keep the surface of the said alley at all times paved as may be directed by the city council, and shall also bind itself in said written acceptance to make satisfactory arrangements with any public service company now using the said alley, permitting the Davidson Building Company to erect the building over the said alley in the manner herein described. The said Davidson Building Company shall also, in said written acceptance, agree that in erecting said building over said alley, it will construct that portion fronting on Pierce street, so that the same will have a uniform appearance and frontage with the other buildings now standing on said lots ten (10), eleven (11), and twelve (12), and the said building to be erected on lot nine (9), in said block twenty-one (21), Sioux City East addition.

SEC. 5. This ordinance shall be in full force and effect from and after its passage and publication as required by law. The expense of said publication to be paid by the Davidson Building Company.

Passed March 11, 1911.

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### CHANGING NAMES OF CERTAIN STREETS.

AN ORDINANCE changing the names of certain streets and avenues in Sioux City, Iowa, as hereinafter designated and specified.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SECTION 1. That the names of certain streets in Sioux City, Iowa, from and after the passage and adoption of this ordinance shall be and the same are hereby changed as follows:

**Aldine Place.**

From Patterson avenue to Patterson street.

From Nicolet avenue to Nicolet street.

**Baird & Cowgill's Addition.**

From Carl street to Hennepin street.

From Emil street to Lakeport street.

**Bellevue Addition.**

From Walnut street to Eighteenth street.

From Boulevard to Court street.

**Belmont Addition.**

From Palm street to Palmetto street.

From Live Oak street to Lemon street.

From Cypress street to Pomegranate street.

**Booge's West Side Addition.**

From Fortieth street to Thirty-seventh street.

From Thirty-ninth street to Booge avenue.

From Thirty-eighth street to Thirty-sixth street.

From Thirty-seventh street to Oliver avenue.

From Thirty-sixth street to Thirty-fifth street.

From Thirty-fifth street to Canal avenue.

From Harris street to Thirty-second street.

From Granville street to Hall avenue.

From Decatur street to Thirty-first street.

From Crawford street to Lunah avenue.

From Ridge street to Thirtieth street.

From Healy street to Willis avenue.

From Bishop street to Jim avenue.

From Palmer to Colon street.

On extreme E. Side to Leonard street.

From Randall street to Twenty-ninth street.

**Booge & Taylor's Addition.**

From Merriam avenue to Rustin street.

From Wilder street to Helen street.

From Sherman street to Alice street.

From Floyd street to Cecelia street.

From Rubidoux street to Logan street.

From Weare street to Paxton street.

From Stetson street to Cornelia street.

From Ramona street to Glass street.

**Boulevard Addition.**

From North Boulevard to Court street.

From street between blocks 4 and 5 to Eighteenth street.

**Boulevard Park and Hyde Park Additions.**

From North Boulevard to Court street.

From Park Hill avenue to Hill avenue.

**Brighton Addition.**

From Armour avenue to Vine avenue.

From Bertha avenue to Rustin street.

From Helen avenue to Helen street.

From Alice avenue to Alice street.

From Cecelia avenue to Cecelia street.

**Call's. Summit Addition.**

From Summit avenue to Summit street.

**Cedar Park Addition.**

From Tolerton avenue to Main street.

From McDonald avenue to McDonald street.

From Fortieth street to Thirty-seventh street.

From Thirty-ninth street to Booge street.

From Thirty-eighth street to Thirty-sixth street.

From Thirty-seventh street to Oliver avenue.

From Thirty-sixth street to Thirty-fifth street.

From Thirty-fifth street to Canal avenue.

From Thirty-second street to Clifton avenue.

**Central Sioux City.**

From Darling street to Darling avenue.

**Chase's Addition.**

From Grant street to Fowler street.

**Chase & Taylor's Addition.**

From Oak street to Oak avenue.

From Ash street to Seventeenth street.

From North Boulevard to Court street.

From Maple street to Sixteenth street.



**Cheever Place.**

From Dakota avenue to Twenty-fifth street.  
From Ralph avenue to Prescott street.  
From Olivia avenue to Casselman street.  
From Burt avenue to Fawcett street.

**Cheney's Addition.**

From St. Aubin avenue to St. Aubin street.  
From Patterson avenue to Patterson street.  
From Cleveland avenue to Cleveland street.  
From Palmer avenue to Royce street.

**Cheney's Second Addition.**

From St. Aubin avenue to St. Aubin street.  
From Patterson avenue to Patterson street.  
From Cleveland avenue to Cleveland street.  
From Palmer avenue to Royce street.

**Cheney's Morningside Villa and Cheney's Lakeport Addition.**

From Hennepin avenue to Hennepin street.  
From Clinton avenue to Clinton street.  
From Henry avenue to Henry street.  
From Lakeport avenue to Lakeport street.

**Cohen & Marks' Addition.**

From Garretson street to Martha street.  
From Hedges street to St. Marys street.  
From Pierce street to Newton street.  
From Evans street to Mulberry street.  
From Ninth street to Darling avenue.  
From Eighth street to Ninth street.  
From Seventh street to Eighth street.

**College Addition.**

From St. Aubin avenue to St. Aubin street.

**Crescent Park Second Filing.**

From Russell street to Sheridan street.  
From Dudley street to Ross street.  
From Dinsmore street to George street

**Cottage Home Addition.**

From Thirty-fifth street to Canal street.  
From Cottage avenue to Collins street.  
From Kearney avenue to John street.  
From Martin street to Leonard street.

**Clark's Addition.**

From Market street to McDonald street.

**Cullinan Heights Addition.**

From Jackson avenue to Second street.  
From Grand avenue to Correctionville road.  
From Gladstone street to Palmetto street.  
From Chapel street to Cedar street.  
From Terril street to Lemon street.  
From Franklin street to Pomegranate street.

**Davis Addition.**

From Estee street to West street.  
From "B" street to Highland avenue.  
From "A" street to Highland avenue.

**Easley's Addition.**

From Park Hill avenue to Hill avenue.  
From North Boulevard to Court street.

**East Sioux City.**

From Culver street to Chicago avenue.  
From Floyd street to Dodge avenue.  
From Jay street to Marshall avenue.

**Eden Park Addition.**

From Grace avenue, Third to Fifth, to Paxton street.  
From Grace avenue from Fifth street to east side of addition to  
Eden avenue.

From Seventh avenue to Jandt avenue.  
From Second avenue to Paxton street.  
From Third avenue to Cornelia street.  
From Fourth avenue to Glass street.  
From Garretson street to Martha street.  
From First avenue to Logan street.

**Elida Place.**

From House avenue to Glenn avenue.  
From Elizabeth avenue to Bushnell avenue.  
From Elwell avenue to Rustin street.  
From Warren avenue to Helen street.  
From Highland avenue to Alice street.

**Emerson Heights.**

From Claire street to Twenty-fourth street.  
From Cedar street to Twenty-third street.  
From Columbus street to Twenty-first street.  
From Euclid street to Jermyn street.  
From Erskine street to Hale street.

**Fair View Addition.**

From North street to Twenty-eighth street.  
From Berkley street to Twenty-seventh street.  
From South street to Twenty-fifth street.  
From Garneau street to Wadsworth street.  
From Hamilton street to Kellogg street.  
From Irving street to Everett street.

**Felt's Addition.**

From Grant street to Fowler street.  
From Charles street to College street.  
From Star street to Westcott street.

**Floyd City.**

From Grand street to Grand avenue.  
From Dace street to Dace avenue.  
From Leech street to Leech avenue.  
From Washington street to Washington avenue.

**Floyd City Addition.**

From Culver street to Chicago avenue.  
From Floyd street to Dodge avenue.  
From Jay street to Marshall avenue.

**Galbraith's Addition First Filing.**

From Bluffview street to Fifteenth street.  
From North Boulevard street to Court street.

**Galbraith's Addition Second Filing.**

From North Boulevard to Court street.

**Garden Park Addition.**

From Dakota avenue to Twenty-fifth street.

From Bogue avenue to Twenty-fourth street.

From Prescott avenue to Twenty-third street.

From John avenue to Twenty-second street.

From Central avenue to Colon street.

**Gaughran's Addition.**

From St. Charles street to Cecelia street.

From St. George street to Alice street.

From Bismark street to Helen street.

**Glen Hill Addition.**

From Davis street to Burton avenue.

From Palmer street to Twenty-seventh street.

From Healy street to Twenty-sixth street.

From Dakota avenue to Twenty-fifth street.

From Center avenue to Colon street.

From East street to Davis street.

**Grannis Place.**

From Nicollet avenue to Nicollet street.

From Hennepin avenue to Hennepin street.

From Clinton avenue to Clinton street.

From Lakeport avenue to Lakeport street.

**Green's Addition.**

From Myrtle avenue to Westcott street.

From Court avenue to Linn street.

**Healy's Addition.**

From King street to Fourteenth street.

From May street to Fifteenth street.

**Healy's Table Addition.**

From Elizabeth street to Glass street.

From Woodbury street to Martha street.

From Center street to Rogers street.

**Hedges' Morningside Addition.**

From Palm avenue to Palmetto street.  
From Orange avenue to Cedar street.  
From Live Oak avenue to Lemon street.  
From Gum avenue to Maple street.  
From Cypress avenue to Cypress street.  
From Olive avenue to Olive street.  
From Magnolia avenue to Magnolia street.  
From Oleander avenue to Oleander street.

**Hedges' Second Addition.**

From McDonald avenue to McDonald street.

**Hedges' Table, Everett Park, Keeling's Bacon Hollow and  
Collins' Additions.**

From Jones street to Euclid avenue.  
From Homer street to Dace avenue.  
From Hall street to Grand avenue.  
From St. Joseph street to Washington avenue.  
From Lafayette street to Leech avenue.

**Hedges' Second Table Addition.**

From Egbert street to Egbert avenue.  
From Euclid avenue to Grand avenue.  
From Needham street to Cornelia street.

**Hedges' Third Table Addition.**

From Newton avenue to Newton street.  
Street between blocks 6 and 7 to St. Marys street.  
From Florence avenue to Leech avenue.  
From Randolph avenue to Leech avenue.  
North and south part of Madison street to St. Marys street.  
East and west part of Madison street to Euclid avenue.

**Highland Addition.**

From Third street to Fawcett street.  
From Second street to Leonard street.  
From First street to Judd street.  
From North avenue to West Second street.  
From Park avenue to West First street.

From Seventh street to Colon street.  
From Sixth street to Davis street.  
From Fifth street to Prescott street.  
From Fourth street to Casselman street.

### **Highland No. 3.**

From Central avenue to Casselman street.

### **Highland Park.**

From Vernon street to Nineteenth street.  
From High street to Eighteenth street.  
From Milton street to Sixteenth street.  
From Park Place to Fifteenth street.

### **Highland Park Fourth Filing.**

From China street to Extra avenue.  
From Corea street to Twenty-fourth street.  
From Cedar street to Twenty-third street.  
From George street to Twenty-second street.  
From Erskine street to Hale street.  
From Japan street to Amanda street.

### **Hills' Dale Addition.**

From Hills avenue to Thirty-seventh street.  
From Hillsdale avenue to Ross street.  
From Norton avenue to Rebecca street.  
From Howard avenue to West street.

### **Henrietta Place Addition.**

From St. Marys avenue to St. Marys street.  
From St. Louis avenue to Newton street.  
From Glass avenue to Glass street.  
From Cornelia avenue to Cornelia street.  
From Paxton avenue to Paxton street.  
From Cecelia avenue to Cecelia street.  
From Alice avenue to Alice street.

### **Holman's Addition.**

From Helen avenue to Helen street.  
From Alice avenue to Alice street.  
From Cecelia avenue to Cecelia street.

From Paxton avenue to Paxton street.  
From Cornelia avenue to Cornelia street.  
From Glass avenue to Glass street.

**Hornick's Addition.**

From Palmer street to Palmer avenue.

**Humbert's Addition.**

From Walnut street to Walnut avenue.  
From Strawberry street to Second street.  
From Randall street to Randall avenue.  
From Stanage street to Hennepin street.  
From George street to Lakeport street.

**Joy & Lewis' Replat of Meek, Anderson & Arthur's Addition.**

From Michigan avenue to Chambers street.

**Kearney & Howard's Addition.**

From Kearney avenue to John street.  
From Flora avenue to Turner street.  
From Grand avenue to Helmer street.  
From Nicolet avenue to Allan street.  
From Howard avenue to West street.

**Kellogg Place Addition.**

From Longworth street to Extra avenue.  
From Claire street to Twenty-fourth street.  
From Cleveland street to Grosvenor street.

**Kenwood Park Addition.**

From Ninth street to Darling avenue.  
From Eighth street to Ninth street.  
From Seventh street to Eighth street.  
From Ella avenue to Peavey street.  
From Park avenue to St. Aubin street.  
From Grand avenue to Royce street.  
From Mary avenue to Patterson street.

**Krummann's Addition.**

From Thirty-first street to Belle avenue.  
From Michigan avenue to Chambers street.  
From Iowa avenue to Prospect street.

**Krummann's Lowell Addition.**

From Pleasant street to Twenty-fifth street.  
From Central avenue to Chase avenue.  
From Park avenue to Orchard avenue.  
From Lincoln street to Dupont street.

**Lake Park Addition.**

From Lake street to Thirty-second street.  
From Hall street to Thirty-first street.  
From Robert street to Thirtieth street.  
From Lillian avenue to Wadsworth street.  
From Glenn avenue to Kellogg street.  
From Clark avenue to Everett street.  
From Desque avenue to Jermyn street.  
From East street in Lake Park to Hale street.  
From Summit avenue to St. Onge road.

**Larimer's Morningside Addition.**

From Alice avenue to Alice street.  
From Cecelia avenue to Cecelia street.  
From Paxton avenue to Paxton street.

**Lawn Ridge Addition.**

From Park avenue to Jennings street.  
From Jennings street to Virginia street.

**Leeds Second Filing.**

From Columbus avenue to Rustin street.  
From Washington avenue to Capitol street.  
From Altoona street to Forty-sixth street.  
From Chester street to Forty-fifth street.  
From Sheffield street to Forty-fourth street.  
From Birmingham street to Forty-third street.  
From Manchester street to Forty-second street.  
From Leeds Boulevard to Forty-first street.  
From Lincoln avenue to Springfield street.

**Lincoln Park Addition.**

From Martha avenue to Martha street.  
From Lincoln avenue to Lorraine avenue.  
From Sheridan avenue to Mullan avenue.

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From Lincoln street to Lincoln avenue.  
From Cornelia avenue to Cornelia street.  
From Coral avenue to Coral street.  
From Glass avenue to Glass street.  
From Paxton avenue to Paxton street.

**Londale Addition.**

From Michigan avenue to Chambers street.  
From Iowa avenue to Prospect street.  
From Chambers street to Pavonia street.

**Loraine Place Addition.**

From Palmer avenue to Royce street.  
From Snook avenue to Cleveland street.  
From Manly avenue to Nicolet street.  
From Cleveland Boulevard to Bryan road.

**Lowell Addition.**

From Lewis street to Twenty-seventh street.  
From Pleasant street to Twenty-fifth street.  
From Central depot to Twenty-fourth street.  
From Chambers street to Pavonia street.  
From Iowa avenue to Prospect street.  
From Michigan avenue to Chambers street.

**Ludwig's and Third Street Additions.**

From Fairmount avenue to Fairmount street.  
From Oak street to Irene street.  
From Rustin avenue to Rustin street.  
From Bismark street to Helen street.

**Manchester Addition.**

From Randall street to Linn street.  
From Roderick street to Fairmount street.  
From Rose street to Irene street.  
From Columbus street to Rustin street.

**Martin's Addition.**

From Garretson street to Martha street.  
From Hedges street to St. Mary's street.  
From Pierce street to Newton street.  
From Evans street to Mulberry street.  
From street on east side to Peavey street.

**Maywood Addition.**

From Marshall street to Dodge avenue.  
From Trumball avenue to Jay avenue.  
From Vane street to St. Aubin street.  
From Grace street to Patterson street.  
From Cleve street to Cleveland street.

**McFaul's Addition.**

From McFaul avenue to McFaul street.

**Melville Park.**

From Dakota avenue to Twenty-fifth street.  
From Adams street to Twenty-fourth street.  
From Prescott street to Twenty-third street.

**Miller's Addition.**

From Irving street to First street.  
From Monroe street to Second street.  
From Lincoln street to Walnut avenue.  
From Grace avenue to Paxton street.  
From Dearborn avenue to Cornelia street.  
From Garfield avenue to Glass street.

**Morningside Addition.**

From Cypress avenue to Cypress street.  
From Gum avenue to Maple street.  
From Olive avenue to Olive street.  
From Magnolia avenue to Magnolia street.  
From Oleander avenue to Oleander street.  
From Conkling avenue to Lyon street.  
From Roswell avenue to Roswell street.  
From Decatur avenue to Decatur street.

**Newspaper Addition.**

From Dakota avenue to Twenty-fifth street.  
From Twenty-third street to Twenty-fourth street.  
From Twenty-second street to Twenty-third street.  
From Twenty-first street to Twenty-second street.  
From Central avenue to Prescott street.

**Normandy Addition.**

From Palmer avenue to Royce street.

From Snook avenue to Cleveland street.  
 From Manly avenue to Nicollett street.  
 From Cleveland boulevard to Bryan road.

**Norwood Addition.**

From Twenty-third street to Twenty-fourth street.  
 From Twenty-first street to Twenty-second street.

**Oak Grove Addition.**

From Fillmore street to Egbert avenue.  
 From Warren street to Dace avenue.  
 From Cleveland avenue to Cleveland street.  
 From Nicollett avenue to Nicollett street.  
 From Hennepin avenue to Hennepin street.  
 From Clinton avenue to Clinton street.  
 From Woodbury avenue to Lakeport street.  
 From Jefferson street to Washington avenue

**Oak Park Addition.**

From Cecelia avenue to Cecelia street.  
 From Cornelia avenue to Cornelia street.  
 From Coral avenue to Coral street.  
 From Glass avenue to Glass street.

**Orchard Hill & Cary's Subdivision, Wright's South Hyde Park,  
 Ingleside and Higman's Boulevard Additions.**

From Central depot to Twenty-fourth street.  
 From North boulevard to Court street.

**Palmer's Morningside Addition.**

From Palmer avenue to Royce street.  
 From Patterson avenue to Patterson street.  
 From Cleveland avenue to Cleveland street.  
 From Nicollet avenue to Nicollet street.

**Park Place Addition.**

From Chase avenue to Waugh street.  
 From Ridge avenue to Thirtieth street.  
 From Park avenue to Willis street.  
 From Randall avenue to Twenty-Ninth street.

**Peters Place.**

From Upland Path to Laurel avenue.  
From part of Park Lane to Laurel avenue.  
From part of Valley Drive to Laurel avenue.  
From Linden Way to Laurel avenue.  
From part of Upland Path to Davis avenue.  
From Rue Pierre to Davis avenue.  
From Highland avenue to Alice street.  
From Moore Gate to Cecelia street.  
From Kenwood Pass to Paxton street.  
From part of Upland Path to Cornelia street.

**Peyton Place and Hamilton Additions.**

From Emerson avenue to Division street to Correctionville road.  
From Grand avenue to First street.  
From Franklin street to Pomegranate street.  
From Livingston street to Cypress street.  
From Davidson street to Maple street.  
From Martin street to Olive street.  
From Division street to Magnolia street.  
From Central street to Lyon street.  
From East street to Peach street.  
From Ruby street to Egbert avenue.  
From Emerson avenue division to the east to Second street.  
From Gilbert street division to east to First street.  
From Angier street to Walnut avenue.

**Peirce's Addition.**

From Water street to Summit street.  
From Hawthorne avenue to Jones street.

**Pixley Park Addition.**

From Fortieth street to Thirty-Seventh street.  
From Thirty-Ninth street to Booge avenue.  
From Thirty-eighth street to Thirty-sixth street.  
From Thirty-Seventh street to Oliver avenue.  
From Thirty-Sixth street to Thirty-fifth street.  
From Thirty-fifth street to Canal avenue.  
From Thirty-second street to Clifton avenue.  
From Read avenue to Silver street.

From Coleman avenue to Geneva street.  
From Mason avenue to Hamilton street.  
From Fields avenue to Omaha street.

**Pleasant View Addition.**

From Thirty-third street to Thirty-first street.  
From Thirty-Second street to Lunah avenue.  
From Thirty-first street to Thirtieth street.  
From Thirtieth street to Willis avenue.  
From West Boulevard to West street.  
From Dudley street to Ross street.

**Rederick's Addition.**

From Paxton avenue to Paxton street.  
From Cornelia avenue to Cornelia street.  
From Glass avenue to Glass street.

**Robson's Addition.**

From Garretson street to Martha street.  
From Hedges street to St. Mary's street.  
From Pierce street to Newton street.  
From Evans street to Mulberry street.

**Rose Hill Addition.**

From Summit avenue to Summit street.

**Rural Home Addition.**

From Clifton street to Thirty-Second street.  
From Second from north to Thirty-First street.  
From Lunah street to Thirtieth street.  
From Randall street to Twenty-ninth street.  
From Dakota avenue to Twenty-eighth street.  
From Grant avenue to Alaska street.  
From Summit avenue to Panama street.  
From Oliver avenue to Berry street.  
From Cleveland street to Campbell street.  
From Fox street to Harris street.

**Rustin & Co.'s Addition.**

From Floyd street to Dodge avenue.  
From Fowler avenue to Fowler street.  
From Westcott avenue to Westcott street.

From Linn avenue to Linn street.  
From College avenue to College street.  
From Fairmount avenue to Fairmount street.  
From Irene avenue to Irene street.  
From Rustin avenue to Rustin street.  
From Culver street to Chicago avenue.  
From Jay street to Marshall avenue.  
From Grand street to Grand avenue.  
From Dace street to Dace avenue.  
From Leech street to Leech avenue.  
From Washington street to Washington avenue.

#### **Schulein & Peters Addition.**

From Martha avenue to Martha street.  
From Julius avenue to St. Mary's street.  
From Mulberry avenue to Mulberry street.  
From Newton avenue to Newton street.

#### **Sioux City East Addition.**

From Water street from Perry creek south of Eleventh street  
to Fourteenth street, to Summit street.  
From Market street to McDonald street.

#### **South Smith's Villa Addition.**

From Palmer street to Palmer avenue.

#### **Springdale Addition.**

From Radcliff street to Thirty-third street.  
From Willow street to Thirty-second street.  
From Wright street to Thirty-first street.  
From Weaver street to Thirtieth street.  
From Warner street to Twenty-ninth street.  
From Wendall street to Twenty-eighth street.  
From Randall street to Linn street.  
From Roderick street to Fairmount street.  
From Rose street to Irene street.  
From Raymond street to Rustin street.  
From Helena street to Division street.  
From Stevens street to Fowler street.  
From High street to College street.  
From Martha street to Westcott street.

**St. Aubin Place First, Second and Third Filing.**

From Cornelia avenue to Cornelia street.  
From Glass avenue to Glass street.  
From St. Mary's avenue to St. Mary's street.  
From St. Louis avenue to Newton street.  
From St. Aubin avenue to St. Aubin street.

**Stone's Addition.**

From Newton avenue to Newton street.  
From Mulberry avenue to Mulberry street.

**Summit Park Addition.**

From Willis street to Twenty-ninth street.  
From street on south to Twenty-eighth street.  
From Union street to Wadsworth street.  
From Gaylord street to Kellogg street.  
From Clarke street to Everett street.  
From Terrace street to Jermyn street.

**Sunnyside Addition.**

From South street to Glenn avenue.  
From Prairie avenue to Bushnell avenue.

**Table Addition.**

From Rosella avenue to Rosella street.  
From Helen avenue to Helen street.  
From Alice avenue to Alice street.  
From Cecelia avenue to Cecelia street.  
From Paxton avenue to Paxton street.  
From Cornelia avenue to Cornelia street.  
From Glass avenue to Glass street.

**University Addition.**

From Cleveland avenue to Cleveland street.  
From Nicollet avenue to Nicollet street.  
From Hennepin avenue to Hennepin street.  
From Clinton avenue to Clinton street.  
From Lakeport avenue to Lakeport street.

**University Place.**

From St. Louis avenue to Newton street.

**Upland Place.**

From Nicollet avenue to Nicollet street.  
From Hennepin avenue to Hennepin street.  
From Clinton avenue to Clinton street.  
From Lakeport avenue to Lakeport street.

**Vandyke Place Addition.**

From Water street to Sumnit avenue.  
From Gilman street to Gilman avenue.

**West Morningside Addition.**

From Armour avenue to Vine avenue.  
From Vine avenue to Swift avenue.  
From Delia avenue to Fowler street.  
From Belle avenue to Division street.  
From Ada avenue to Pavonia street.  
From Peters street to Peters avenue.  
From Fowler avenue to Transit avenue.

SEC. 2. That there shall be prefixed to the names of all north and south streets south of First street the word "South," and that there shall be prefixed to all east and west streets west of Perry creek and west of Main street the word "West."

SEC. 3. The names of all east and west streets the names of which are not a number shall have the suffix "avenue," and the names of all other east and west streets and north and south streets shall have the suffix "street."

SEC. 4. That for the purpose of explaining and making certain each and all of the provisions of this ordinance there is hereto attached and made a part of this ordinance a map of Sioux City, Iowa, prepared by Smith & Finley, with the names of the streets and avenues in Sioux City, Iowa, thereon, which are in accordance with this ordinance.

SEC. 5. All ordinances or parts of ordinances conflicting with this ordinance are hereby repealed.

Passed March 21, 1911.



### NUMBERING OF HOUSES.

AN ORDINANCE providing for the numbering of houses and buildings fronting on streets, avenues and alleys in the city of Sioux City, Iowa.

*Be it ordained by the city council of the city of Sioux City, Iowa:*

SEC. 1. That all houses and buildings fronting on any public street, avenue or alley within the city of Sioux City, shall be numbered in conformity with the provisions contained in this ordinance.

SEC. 2. All houses and buildings on the south and east side of any street, avenue or alley within the city shall receive even numbers, and all houses and buildings on the north and west side thereof shall receive odd numbers; provided that on all streets, avenues and alleys extending northwesterly and southeasterly, the southwesterly side shall receive even numbers, and all houses and buildings on the northeasterly side shall receive odd numbers; and all streets, avenues and alleys extending northeasterly and southwesterly the houses and buildings on the southeasterly side shall receive even numbers, and the houses and buildings on the northwesterly side shall receive odd numbers.

SEC. 3. The manner of numbering shall be as follows: Commencing at First street and running thence northward the first number on the west side of the street shall be number 101, and said numbers shall increase at the rate of 100 for each block or space between two streets; (and the first number on the east side) commencing at said First street and running thence northward, the first number on the east side of the street shall be number 100 and said numbers shall increase at the rate of 100 for each block or space between two streets; and the manner of numbering on all streets, avenues and alleys south of said First street by commencing at said First street and running thence southward, the first number on the west side of the street shall be number 101 and said numbers shall increase at the rate of 100 for each block or space between two streets; and the first number on the east side commencing at said First street and running thence southward the first number on the east side of the street shall be number 100 and said numbers shall increase at the rate of 100 for each block or space between two streets.

SEC. 4. On all streets, avenues and alleys extending east and west, the manner of numbering shall be as follows: Commencing

on Main street and running thence eastward the first number on the north side of the street or avenue shall be number 1, and said numbers shall increase at the rate of 100 for each block or space between two streets, and the first number on the south side commencing at said Main street and running thence eastward shall be number 2, and said numbers shall increase at the rate of 100 for each block or space between two streets; and commencing on said Main street and thence westward on all streets north of Fourteenth street, the first number on the north side of the street or avenue shall be number 1 and said numbers shall increase at the rate of 100 for each block or space between two streets to Center street; and the first number on the south side commencing at Main street and thence westward, the first number on said south side of the street or avenue shall be number 2 and said numbers shall increase at the rate of 100 for each block or space between two streets to Center street.

SEC. 5. On all streets and avenues north of Fourteenth street and west of Main street the manner of numbering shall be as follows:

On all streets and avenues extending north and south commencing at Fourteenth street and running northward the first number on the west side of the street shall be number 1401 and said numbers shall increase at the rate of 100 for each block or space between two streets; and the first number on the east side commencing at said Fourteenth street and thence northward shall be number 1400 and said numbers shall increase at the rate of 100 for each block or space between two streets.

SEC. 6. On all east and west streets and avenues south of Fourteenth street and west of Perry creek to Center street commencing at Elm street or Elm street projected thence westward, the first number on the north side of the street shall be number 1 and said numbers shall increase at the rate of 100 for each block or space between two streets, and the first number on the opposite side of any such street or avenue commencing at Elm street or Elm street projected, shall be number 2 and said numbers shall increase at the rate of 100 for each block or space between two streets.

SEC. 7. On all streets extending east and west beginning at Center street thence westward, the houses and buildings shall be numbered commencing at said Center street on the north side, the

first number shall be number 1101 and said numbers shall increase at the rate of 100 for each block or space between two streets, and the first number on the south side commencing at Center street shall be number 1100 and said numbers shall increase at the rate of 100 for each block or space between two streets.

SEC. 8. On all the streets between Twenty-fifth street and Forty-fifth street, the first house on the north side of the street west of Sheridan street shall be number A1651, and the first house west of Sheridan street on the south side of the street shall be number A1650.

On all the streets between Twenty-fifth street and Twenty-eighth street, the first house on the north side of the street west of Kensington street shall be number A3851 and the first house west of Kensington street on the south side of the street shall be number A3850.

On all the streets between Twenty-eighth street and Thirty-first street, the first house on the north side of the street west of Farnham street shall be number A251 and the first house west of Farnham street on the south side of the street shall be number A250.

On all the streets between Thirty-seventh street and Forty-fifth street, the first house on the north side of the street west of Sioux street shall be number A0051 and the first house west of Sioux street on the south side of the street shall be number A0050.

On all the streets between McDonald street and Blair street, the first house on the west side of the street north of Canal avenue shall be number A3451 and the first house north of Canal avenue on the east side of the street shall be number A3450.

On all the streets between McDonald street and Blair street, the first house on the west side of the street north of Oliver avenue shall be number A3551, and the first house north of Oliver avenue on the east side of the street shall be number A3550.

On all the streets between McDonald street and Blair street, the first house on the west side of the street north of Booge avenue shall be number A3651 and the first house north of Booge avenue on the east side of the street shall be number A3650.

On all the streets between McDonald street and Blair street, the first house on the west side of the street north of Clifton avenue shall be number A3251 and the first house north of Clifton avenue on the east side of the street shall be number A3250.

On all the streets between Rebecca street and Harris street, the first house on the west side of the street north of Willis avenue shall be number A2951 and the first house north of Willis avenue on the east side of the street shall be number A2950.

On all the streets between Rebecca street and Harris street, the first house on the west side of the street north of Lunah avenue shall be number A3051 and the first house north of Lunah avenue on the east side of the street shall be number A3050.

On all the streets between Ross street and West street, the first house on the west side of the street north of Frost avenue shall be number A3751 and the first house north of Frost avenue on the east side of the street shall be number A3750.

On all the streets between West street and Broken Kettle road, the first house on the west side of the street north of Snow avenue shall be number A3851 and the first house north of Snow avenue on the east side of the street shall be number A3850.

On all the streets between Rebecca street and Leonard street, the first house on the west side of the street north of Palmer avenue shall be number A451 and the first house north of Palmer avenue on the east side of the street shall be number A450.

On all the streets between Blair street and Wadsworth street, the first house on the west side of the street north of Jim avenue shall be number A2851 and the first house north of Jim avenue on the east side of the street shall be number A2850.

On all the streets between Leonard street and Harris street, the first house on the west side of the street north of Hall avenue shall be number A3151 and the first house north of Hall avenue on the east side of the street shall be number A3150.

On all the streets between Berry street and Dartmouth street, the first house on the west side of the street north of Extra avenue shall be number A2451 and the first house north of Extra avenue on the east side of the street shall be number A2450.

On all the streets between Twenty-eighth street and Forty-eighth street, the first house on the north side of the street east of Robinson street shall be number A2851 and the first house east of Robinson street on the south side of the street shall be number A2850.

On all the streets between Twenty-seventh street and Thirty-ninth street, the first house on the north side of the street east of

Adel street shall be number A2151 and the first house east of Adel street on the south side of the street shall be number A2150.

On all the streets between Eighteenth street and Twenty-first street, the first house on the north side of the street east of Ingle-side avenue shall be number A1051 and the first house east of Ingle-side avenue on the south side of the street shall be number A1050.

On all the streets between Correctionville road and Fourteenth street, the first house on the north side of the street east of Logan street shall be number A3251 and the first house east of Logan street on the south side of the street shall be number A3250.

On all the streets between Correctionville road and Twenty-second street, the first house on the north side of the street east of Peavey street shall be number A3951, and the first house east of Peavey street on the south side of the street shall be number A3950.

On all the streets between Peters avenue and Egbert avenue, the first house on the north side of the street east of Peach street shall be number A5751 and the first house east of Peach street on the south side of the street shall be number A5750.

On all the streets between Stone avenue and Jay avenue, the first house on the north side of the street east of Ada street shall be number A5651 and the first house east of Ada street on the south side of the street shall be number A5650.

On all the streets between Morningside avenue and Jay avenue, the first house on the north side of the street east of Pomegranate street shall be number A5051 and the first house east of Pomegranate street on the south side of the street shall be number A5050.

On all the streets between Jay avenue and Washington avenue, the first house on the north side of the street east of Rustin street shall be number A2851 and the first house east of Rustin street on the south side of the street shall be number A2850.

On all the streets between Loraine avenue and Glenn avenue, the first house on the north side of the street east of Steele street shall be number A3151 and the first house east of Steele street on the south side of the street shall be number A3150.

On all the streets between Lincoln avenue and Glenn avenue, the first house on the north side of the street east of Coral street shall be number A3451 and the first house east of Coral street on the south side of the street shall be number A3450.

On all the streets between Glenn avenue and Morningside avenue, the first house on the north side of the street east of Henry street shall be number A4651 and the first house east of Henry street on the south side of the street shall be number A4650.

On all the streets between Pavonia street and Rustin street, the first house on the west side of the street south of Swift avenue shall be number A1451 and the first house south of Swift avenue on the east side of the street shall be number A1450.

On all the streets between Osborn street and Westcott street, the first house on the west side of the street south of Correctionville road shall be number A151 and the first house south of Correctionville road on the east side of the street shall be number A150.

On all the streets between Helen street and Paxton street, the first house on the west side of the street south of Euclid avenue shall be number A351 and the first house south of Euclid avenue on the east side of the street shall be number A350.

On all the streets between Logan street and Peach street, the first house on the west side of the street north of Walnut avenue shall be number A251 and the first house north of Walnut avenue on the east side of the street shall be number A250.

On all the streets between Clark street and Pomegranate street the first house on the west side of the street north of Darling street shall be number A951 and the first house north of Darling street on the east side of the street shall be number A950.

On all the streets between Hennepin street and Lakeport street, the first house on the west side of the street north of Randall avenue shall be number A151 and the first house north of Randall avenue on the east side of the street shall be number A150.

SEC. 9. That all north and south streets and avenues south of First street shall have the prefix "South," and that all east and west streets and avenues west of Perry creek and west of Main street shall have the prefix "West."

SEC. 10. The names of all east and west streets which are not a number shall have the suffix "Avenue," and the names of all other east and west streets and avenues and north and south streets shall have the suffix "street."

SEC. 11. Each twenty feet front or fraction thereof, when the fraction shall exceed ten feet fronting on any street, avenue or alley, shall be entitled to a number.

SEC. 12. That for the purpose of explaining and making certain each and all of the provisions of this ordinance and systems of numbering houses and buildings, there is hereto attached and made a part of this ordinance a map of Sioux City prepared by Smith & Finley with the names of the streets and avenues and numbers for the houses and buildings in each block thereon as contemplated and as to be used in the numbering system provided for in this ordinance.

SEC. 13. The city engineer shall furnish the proper number for any house or building to any person applying therefor.

SEC. 14. All ordinances heretofore passed providing for any system of numbering houses in Sioux City, Iowa, are hereby repealed.

Passed March 21, 1911.

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### CURB LINES.

The curb lines on many streets of the city have been established, changed and re-established by ordinances duly passed from time to time by the city council, and at the time this compilation of the city ordinances was made (March, 1911), they were as follows, the distance, except where otherwise stated, of the curb line being in feet from the center line of each street, respectively:

Allan street, in Hornick's addition, 15 feet.

Bluff street, from West First to West Third street, 15 feet; and from Riverside avenue to West Eighth street, 19 feet.

Cecelia street, in front of block 4, Holman's addition, 12 feet.

Cedar street, from Morningside avenue to south line of Hedges' Morningside addition, 15 feet; from Morningside avenue to north line of Hedges' Morningside addition, 15 feet.

Center street, from West Sixth street to Highland avenue, 12 feet.

Chambers street, from Dace avenue to the Floyd river, 26 feet.

Clark street, from Second to Seventh street, the outer lines of said street.

Collins street, in Hornick's addition, 15 feet.

Cook street, from Riverside avenue to West Ninth street, 19 feet; from Fourteenth to Twenty-eighth street, 15 feet.

Correctionville road, from intersection of Second and Division streets and extending diagonally to Floyd river bridge, 23 feet.

Cypress street, from south line of Hedges' Morningside addition to Garretson avenue, 15 feet.

Dace avenue, from Steuben to Chambers street, 26 feet.

Dale street, from Fourteenth street to Ingleside avenue, 15 feet.

Division street, from Fourth to Second street, 26 feet; from Seventh to Eleventh street, 15 feet.

Douglas street, from Seventh to Twenty-first street, 19 feet.

Dubuque street, from Seventh to Eleventh street, 21 feet.

Eighth street, from Perry creek to Wall street, 14 feet; from Division street to east line of Cole's addition, 15 feet.

Eleventh street, from Water to Howard street, 14 feet; from Division street to the east line of Cole's addition, 15 feet.

Eighteenth street, from Summit street to Ingleside avenue, 12 feet.

Fourth avenue, from west line of Hedges' Morningside addition, to Olive street, 15 feet.

Fourth street, from Howard to Division street, 26 feet; from Division street to the Floyd river, 25 feet.

Fourteenth street, from Perry creek to Jones street, 12 feet.

All east and west streets from Fifteenth to Thirtieth street, inclusive, lying between Court and Omaha streets, 12 feet, unless otherwise specified.

Garretson avenue, from west line of Hedges' Morningside addition to Olive street, 15 feet.

George street, from West First to West Fifth street, 12 feet; from West Seventh street to West Sixteenth street; 18 feet; from West Sixteenth street to north line of Smith's Walnut Hill Villa addition, 17 feet.

Grand avenue, from Iowa to Steuben street, 26 feet.

Harrison street, Leeds, 17 feet.

Helmer street, in Hornick's addition, 15 feet.

Ingleside avenue, from King to Seventeenth street, 17 feet; from Seventeenth to Twenty-first street, 15 feet.

Iowa street, from Fifth to Fourteenth street, 15 feet.

Isabella street, from West Sixth street to Highland avenue, 12 feet.

Jackson street, from Fifth to Twenty-ninth street, 21 feet; from Twenty-ninth to Thirty-ninth street, 26 feet.



Jennings street, from Fifth to Fourteenth street, 20 feet; from Twentieth to Thirtieth street, 15 feet.

John street, in Hornick's addition, 15 feet.

Jones street, from Fifth to Sixth street, 21 feet; from Sixth to Fourteenth street, 15 feet; from Seventeenth to Twenty-eighth street, 16 feet; from Twenty-eighth to Thirtieth street, 15 feet.

Judd street, in Hornick's addition, 15 feet.

Kansas street, from West First to West Third street, 15 feet.

Leech street, from Chambers street to the Floyd river, 26 feet.

Leeds. All streets except Floyd avenue and Harrison street, as follows: All streets sixty feet in width, 15 feet; all streets eighty feet in width, 23 feet.

Leonard street, from West Second street to Riverside avenue, 21 feet; from Riverside avenue to West Seventh street, 15 feet.

Lemon street, from north line of Hedges' Morningside addition, to Morningside avenue, 15 feet; from Morningside avenue to south line of Hedges' Morningside addition, 15 feet.

Main street, from Riverside avenue to Perry creek, 20 feet; from Perry creek to Twenty-eighth street, 15 feet.

Maple street, from south side of Hedges' Morningside addition to Garretson avenue, 15 feet.

Market street, from West First to West Third street, 15 feet; from Riverside avenue to West Eighth street, 19 feet; from Perry creek to Twenty-eighth street, 15 feet.

Missouri street, from Seventh to Eleventh street, 15 feet.

Morningside avenue, from Jay to Garretson avenue, 26 feet; from west line of Hedges' Morningside addition to Olive street, 24 feet.

Myrtle street, from West Seventh to West Twenty-first street, 19 feet; from West Sixth street to Highland avenue, 12 feet.

Nebraska street, from Sixth to Eighth street, 19 feet; from Eighth to Thirtieth street, 15 feet.

Ninth street, from Perry creek to Wall street, 14 feet; (except from Pierce to Jackson, 15 feet); from Division street to east line of Cole's addition, 15 feet.

Nineteenth street, from Summit street to Ingleside avenue, 12 feet.

Olive street, from south line of Hedges' Morningside addition to Garretson avenue, 15 feet.

Omaha street, from Riverside avenue to West Fourteenth street, 19 feet; from West Fourteenth to Twenty-eighth street, 15 feet.

Orleans avenue, from west line of Hedges' Morningside addition to Olive street, 15 feet.

Otoe street, from Riverside avenue to West Fourteenth street, 19 feet.

Palmer avenue, from Rebecca to Leonard street, 12 feet.

Palmetto street, from Morningside avenue to north line of Hedges' Morningside addition, 15 feet; from Morningside avenue to south line of Hedges' Morningside addition, 15 feet.

Park Row and Park Place, in Smith's Villa, 10 feet.

Pearl street, from Ninth to Eighteenth street, 19 feet; from Eighteenth to Twenty-first street, 15 feet.

Perry street, from West First street to Riverside avenue, 15 feet; from Riverside avenue to West Seventh street, 19 feet.

Pierce street, from Eighteenth to Twenty-ninth street, 24 feet; from Twenty-ninth to Thirtieth street, 15 feet; from Third street to Eighteenth street, 26 feet.

Plymouth street, from Seventh to Eleventh street, 15 feet.

Rebecca street, from West Seventh to West Twenty-first street, 15 feet; from West Fifth to West First street, 12 feet.

Riverside avenue, from Center to Leonard street, 18 feet.

Ross street, from Riverside avenue to Highland avenue, 12 feet; from Riverside avenue to Palmer avenue, 12 feet; from Palmer avenue to West Sixth street, 15 feet; from West Seventh to West Sixteenth street, 13 feet; from West Sixteenth street to West Twenty-first street, 18 feet.

Sixth street, from Perry creek to Jackson street, 26 feet.

Sixth street, from Jackson to Wall street, 19 feet.

Sixth avenue, from west line of Hedges' Morningside addition to Olive street, 15 feet.

Seventh street, from Perry creek to Pierce street, 26 feet; from Pierce to Jones street, 19 feet; from Jones street to alley east of Wall street, 14 feet; from Clark to Dubuque street, 18 feet.

Seventeenth street, from Pierce to Jones street, 12 feet; from Jones street to Ingleside avenue, 17 feet; east of Court street, 11 feet.

Sioux street, from West First to West Third street, 19 feet; from Riverside avenue to West Eighth street, 19 feet.

St. Aubin street, from Morningside avenue to Glenn avenue, 12 feet.

Steuben street, from Fourth street to Leech avenue, 26 feet.

Summit street, from Perry creek to Eighteenth street, 19 feet; from Eighteenth to Twenty-fourth street, 22 feet.

Third street, from Howard to Division street, 26 feet.

Tenth street, from Perry creek to Wall street, 14 feet; from Division street to east line of Cole's addition, 15 feet.

Twelfth street, from Market to Howard street, 14 feet.

Thirteenth street, from Perry creek to Wall street, 19 feet.

Twentieth street, from Summit street to Ingleside avenue, 12 feet.

Twenty-first street, at the west line of Pierce street, 10.83 feet north of the south line of said street, and on the east side of the alley between Douglas and Pierce streets, 9.10 feet north of the south line of said street, the same being a continuation of the curb line on the south side of Twenty-first street from Douglas street eastward to the alley. The curb line on the north side from Pierce street to the alley west, parallel with the curb line on the south side of the street and 24 feet distant therefrom.

Twenty-second street, south curb line between Douglas and the alley east, 10 feet north of the south line of said street, north curb line 30 feet north of the south line of said street. South curb line between the west line of Pierce street and the alley west, 28 feet north of the south line of said street, north curb line 48 feet north of south line of said street.

Twenty-fourth street, from Pierce to Summit street, 15 feet.

Twenty-seventh street from Pierce to Jackson street, 19 feet.

Turner street, in Hornick's addition, 15 feet.

Virginia street from Fourth to Fifth street, 26 feet; from Fifth to Sixth street, 19 feet; from Sixth to Fourteenth street, 15 feet.

Wall street, from Second to Third street, 26 feet; from Fifth to Twelfth street, 19 feet; from Twelfth to Fourteenth street, 15 feet.

Water street, from Fifth to Seventh street, 26 feet.

West street, from Riverside avenue to Highland avenue, 8 feet; from Palmer avenue to West Fourteenth street, 12 feet.

West First street, from Cook street to west line of Davis' addition, 15 feet.

West Second street, from Sioux street to alley between Elm and Kansas streets, 15 feet; from Sioux street to Leonard street, 15 feet.

West Third street from Perry Creek to Center street, 21 feet; from Center to West street, 21 feet; from West to Leonard street, 21 feet.

West Fifth street, from Perry creek to Center street, 19 feet; from Center to Leonard street, 15 feet.

West Sixth street, from Center street to Perry creek, 15 feet.

West Seventh street, from Allan to Leonard street, 15 feet.

West Eighth street, from West Fourteenth street to Perry creek, 19 feet.

West Fourteenth street, from Center to Rebecca street, 19 feet.

West Fifteenth street, from Center to Ross street, 19 feet.

West Seventeenth street, from Center to Ross street, 19 feet.

West Eighteenth street, from Center to Ross street, 19 feet.

West Nineteenth street, from Center to Ross street, 19 feet.

West Twentieth street, from Center to Ross street, 19 feet.

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### ESTABLISHING GRADE HEIGHTS.

A large number of ordinances have been passed by the city council of Sioux City from time to time, establishing and fixing grades for streets and alleys in the city. A schedule of the grade heights was made, as amended and revised, by the city engineer in 1893, and printed in table form in the compilation of the city ordinances in 1894. As these grade heights are not of general interest, ordinances establishing them have been omitted from this compilation. Any one desiring to know the grade height at any particular point or points, where same has been established, can get the necessary information at the office of the city engineer. This applies also to the fixing and establishing of sidewalk grades in various parts of the city of Sioux City.

**APPROVING REVISED ORDINANCES AND ORDERING PUBLICATION IN BOOK FORM.**

RESOLUTION approving the Revised Ordinances of 1911 of the City of Sioux City, Iowa, and ordering publication thereof in book form.

*Be it resolved by the city council of the city of Sioux City, Iowa:*

That the revision of the ordinances of the city as arranged and submitted by the mayor and city council be and the same is hereby approved and is ordered to be published in book form as provided in section 687 in the code of Iowa of 1897.

Said revision shall be known and designated as the "Revised Ordinances of 1911 of the City of Sioux City, Iowa."

Adopted March 25, 1911.

Approved March 25, 1911.

A. A. SMITH, Mayor.

CHAS. F. BALDWIN, City Clerk.

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STATE OF IOWA, Woodbury County—ss.

I, C. F. Baldwin, City Clerk, do hereby certify that the foregoing is a true copy of the proceedings of the City Council of the City of Sioux City, authorizing and providing for the publication of the Revised Ordinances of 1911 of the City of Sioux City, Iowa, in book form.

Witness my hand and the seal of the City of Sioux City this 25th day of March, 1911.

CHAS. F. BALDWIN, City Clerk.



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